

HOUSE OF REPRESENTATIVES—Thursday, October 15, 1987

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O God, may we lift our eyes from all the distractions that are about us to see the common heritage that makes us one people. As You have given each of us our lives, may we sense the unity that You have already given, and so may we live our lives in the confidence of Your daily blessings. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. KYL. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. KYL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 292, nays 110, answered "present" 2, not voting 29, as follows:

[Roll No. 355]

YEAS—292

| | | |
|-----------|--------------|--------------|
| Ackerman | Brennan | Davis (MI) |
| Akaka | Brooks | de la Garza |
| Alexander | Broomfield | DeFazio |
| Anderson | Brown (CA) | Derrick |
| Andrews | Bruce | DeWine |
| Annuzio | Bryant | Dicks |
| Anthony | Bustamante | Dingell |
| Archer | Byron | Dixon |
| Atkins | Campbell | Donnelly |
| AuCoin | Cardin | Dorgan (ND) |
| Baker | Carper | Dornan (CA) |
| Bartlett | Carr | Dowdy |
| Bateman | Chapman | Dreier |
| Bates | Chappell | Duncan |
| Bellenson | Clarke | Durbin |
| Bennett | Clinger | Dwyer |
| Bereuter | Coats | Dymally |
| Berman | Coelho | Dyson |
| Bevill | Coleman (TX) | Early |
| Bilbray | Collins | Eckart |
| Boggs | Combest | Edwards (CA) |
| Boland | Conte | English |
| Bonior | Conyers | Erdreich |
| Bonker | Cooper | Espy |
| Borski | Coyne | Evans |
| Bosco | Crockett | Fascell |
| Boucher | Daniel | Fawell |
| Boxer | Darden | Fazio |

| | | |
|---------------|----------------|----------------|
| Feighan | Lipinski | Rostenkowski |
| Fish | Lloyd | Rowland (CT) |
| Flake | Lowry (WA) | Rowland (GA) |
| Flippo | Lujan | Roybal |
| Florio | Lukens, Thomas | Russo |
| Foglietta | Lungren | Sabo |
| Foley | MacKay | Saiki |
| Ford (MI) | Madigan | Savage |
| Ford (TN) | Manton | Saxton |
| Frost | Markey | Schneider |
| Garcia | Martinez | Schulze |
| Gaydos | Matsui | Schumer |
| Gejdenson | Mazzoli | Sharp |
| Gibbons | McCloskey | Shaw |
| Gilman | McCurdy | Shays |
| Glickman | McDade | Shumway |
| Gonzalez | McEwen | Shuster |
| Gordon | McHugh | Siskis |
| Gradison | McMillen (MD) | Skaggs |
| Grant | Meyers | Skelton |
| Guarini | Mfume | Slattery |
| Gunderson | Mica | Slaughter (NY) |
| Hall (OH) | Miller (CA) | Smith (FL) |
| Hall (TX) | Miller (WA) | Smith (IA) |
| Hamilton | Mineta | Smith (NE) |
| Hammerschmidt | Moakley | Smith (NJ) |
| Harris | Mollohan | Snowe |
| Hatcher | Montgomery | Solarz |
| Hawkins | Moody | Spence |
| Hayes (IL) | Morrison (CT) | Spratt |
| Hayes (LA) | Morrison (WA) | St Germain |
| Hefley | Mrazek | Staggers |
| Hefner | Murphy | Stallings |
| Hertel | Murtha | Stark |
| Hochbrueckner | Myers | Stokes |
| Horton | Nagle | Stratton |
| Houghton | Natcher | Studds |
| Howard | Nelson | Sweeney |
| Hoyer | Nowak | Swift |
| Hubbard | Oberstar | Synar |
| Huckaby | Obey | Tallon |
| Hughes | Olin | Tauke |
| Hutto | Ortiz | Taylor |
| Hyde | Owens (NY) | Thomas (GA) |
| Jeffords | Owens (UT) | Torres |
| Jenkins | Oxley | Torricelli |
| Johnson (CT) | Packard | Towns |
| Johnson (SD) | Panetta | Trafficant |
| Jones (NC) | Patterson | Traxler |
| Jones (TN) | Pease | Udall |
| Jontz | Pelosi | Valentine |
| Kanjorski | Perkins | Vander Jagt |
| Kaptur | Petri | Vento |
| Kasich | Pickett | Visclosky |
| Kastenmeier | Pickle | Volkmer |
| Kennedy | Price (IL) | Watkins |
| Kennelly | Price (NC) | Waxman |
| Kildee | Quillen | Weiss |
| Klecza | Rahall | Wheat |
| Kostmayer | Rangel | Whitten |
| LaFalce | Ravenel | Wilson |
| Lancaster | Ray | Wise |
| Lantos | Regula | Wolpe |
| Leath (TX) | Richardson | Wortley |
| Lehman (CA) | Rinaldo | Wyden |
| Lehman (FL) | Ritter | Wylie |
| Lent | Robinson | Yates |
| Levin (MI) | Rodino | Yatron |
| Levine (CA) | Roe | |
| Lewis (GA) | Rose | |

NAYS—110

| | | |
|------------|--------------|-----------|
| Armey | Callahan | DeLay |
| Badham | Chandler | DioGuardi |
| Ballenger | Cheney | Emerson |
| Barnard | Clay | Fields |
| Barton | Coble | Frenzel |
| Bentley | Coleman (MO) | Galleghy |
| Bilirakis | Coughlin | Gallo |
| Boehert | Courter | Gekas |
| Boulter | Craig | Gingrich |
| Brown (CO) | Crane | Goodling |
| Buechner | Dannemeyer | Grandy |
| Bunning | Daub | Gregg |
| Burton | Davis (IL) | Hansen |

| | | |
|----------------|---------------|----------------|
| Hastert | McCandless | Slaughter (VA) |
| Henry | McCollum | Smith (TX) |
| Henger | McMillan (NC) | Smith, Denny |
| Hiler | Michel | (OR) |
| Holloway | Miller (OH) | Smith, Robert |
| Hopkins | Molinar | (NH) |
| Inhofe | Moorhead | Smith, Robert |
| Ireland | Morella | (OR) |
| Jacobs | Nielson | Solomon |
| Kolbe | Parris | Stangeland |
| Konnyu | Pashayan | Stenholm |
| Kyl | Penny | Stump |
| Lagomarsino | Pursell | Sundquist |
| Latta | Rhodes | Swindall |
| Leach (IA) | Ridge | Thomas (CA) |
| Lewis (CA) | Roberts | Upton |
| Lewis (FL) | Rogers | Vucanovich |
| Lightfoot | Roth | Walker |
| Lott | Roukema | Weber |
| Lowery (CA) | Schaefer | Weldon |
| Lukens, Donald | Schroeder | Whittaker |
| Mack | Schuette | Wolf |
| Marlenee | Sensenbrenner | Young (AK) |
| Martin (IL) | Sikorski | Young (FL) |
| Martin (NY) | Skeen | |

ANSWERED "PRESENT"—2

Applegate McGrath

NOT VOTING—29

| | | |
|--------------|------------|----------|
| Aspin | Gray (PA) | Oakar |
| Biaggi | Green | Pepper |
| Bliley | Hunter | Porter |
| Dellums | Kemp | Roemer |
| Dickinson | Kolter | Sawyer |
| Downey | Leland | Scheuer |
| Edwards (OK) | Livingston | Tauzin |
| Frank | Mavroules | Walgren |
| Gephardt | Neal | Williams |
| Gray (IL) | Nichols | |

□ 1115

Mr. BOEHLERT changed his vote from "yea" to "nay."

Mr. CLARKE changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill and concurrent resolution of the following title, in which the concurrence of the House is requested:

S. 1783. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code;

S. Con. Res. 83. Concurrent resolution to congratulate Costa Rican President Oscar Arias Sanchez on being awarded the 1987 Nobel Peace Prize.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the program for the balance of today and next week.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Washington.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Illinois [Mr. MICHEL], the distinguished Republican leader, for yielding.

We are returning to the consideration today of the risk notification bill, but it is the intention of the bill manager to move to rise at 3 p.m. this afternoon, and there will be no rollcall votes after that.

I have to say, Mr. Speaker, that we are, in attempting to accommodate the Members on no Friday sessions, running into an increasing problem with early private adjournments on Thursday.

If I may repeat that, we are attempting to accommodate the Members by not scheduling Friday sessions; but a problem that is arising is that more and more Members are seeking early departure on Thursdays.

I should serve notice that one of the ways to accommodate this problem is to begin to schedule Friday sessions. That will then allow the Members to work at least 3 days a week on floor issues, and in a very serious vein, because it is necessary for us to maintain progress in committees and on conferences, the departure of Members on Thursdays is becoming a problem.

I will say in advance that we do not intend to schedule a Friday session next week; but after that, I think Members may be unwise to assume that there will be further absence of scheduling on Friday, unless we can accommodate a full schedule on Thursday.

With that in mind, Mr. Speaker, we will meet at noon on Monday, and we will be considering suspensions on Monday.

They are House Concurrent Resolution 199 regarding the Soviet missile firings over Hawaii;

H.R. 3428, to authorize the release of the U.S. Information Agency film "America the Way I See It" in the United States.

Members will recall that the law requires that USIA films only be shown in the United States with the consent and statutory authority.

House Resolution 141, calling for the immediate release of all children detained under state of emergency regulations in South Africa;

House Concurrent Resolution 200, to congratulate and commend President Arias of Costa Rica for receiving the 1987 Nobel Peace Prize;

H.R. 3283, to allow the transfer of the submarine U.S.S. *Turbot* to Dade County, FL;

H.R. 3140, to require standards for inventory accounting systems used by DOD contractors; and

H.R. 2873, to prohibit DOD from entering into overseas contracts that

allow payment of severance pay greater than the typical rate for severance pay in the United States.

On Tuesday, October 20, the House will meet at noon and consider first, and let me repeat that. Members may wish to give their attention to this. On Tuesday, the 20th of October, we will begin immediately, immediately with any votes ordered on suspensions voted on Tuesday.

Members should assume on Tuesday next week there will be immediate voting after the House convenes at noon. There is no grace period of time on Tuesday for votes.

Following that, we will have a motion to go to conference on the Department of Defense authorization bill which, as Members will recall, requires a vote to close that conference, and a rollcall vote.

□ 1130

Following that, we will resume consideration of the risk notification bill, and again I invite the Members to pay attention to this announcement.

We will expect, to go Tuesday past 10 p.m. if necessary to complete the bill. We will complete the bill on Tuesday if it requires a midnight session, so there will be a completion of this bill on Tuesday.

Members should assume, because it is clear we are not going to finish the bill today, that there will be a late session on Tuesday night. We will be in Tuesday night next with votes, and that will be on the television.

Wednesday and the balance of the week: On Wednesday, H.R. 2939, the Independent Counsel Amendments Act of 1987, with an open rule and 1 hour of debate; and S. 640, the Water and Power Authorization Act of 1987 with an open rule, 1 hour of debate.

I repeat again, we do not expect a session on Friday next, but if the problem of Thursday persists, we may have to revise that general pattern of no votes on Friday.

Mr. MICHEL. Mr. Speaker, might I also make the observation to the gentleman from Washington [Mr. FOLEY] that aside from the mandatory vote to close the conference, we will probably have a motion to instruct on the DOD authorization bill, too. The gentleman made reference to the fact that we would have immediate rollcalls on the suspensions carried over, so there will probably be several other votes then, too, obviously, on that date.

Might I inquire, I see the distinguished chairman of the Appropriations Committee on the floor, I do not see reconciliation scheduled. I am not complaining about that. My view has been all along that we ought to be finalizing more appropriation bills to give us a better handle on the expenditure side before we move to reconciliation.

We have the defense foreign aid and agriculture bills that have not passed this House, but will we go to conference on those? I understand the other body has moved on this.

Mr. FOLEY. It is the intention of the gentleman I think today to move to go to conference on several appropriation bills, four to be precise.

Mr. MICHEL. Are those requests coming now, is that what follows on here?

Mr. FOLEY. That is correct, immediately following.

Mr. MICHEL. Might I inquire of the distinguished chairman if he expects to see some finalized action on conference reports on appropriation bills?

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, on the four bills that have passed both Houses, we expect to appoint conferees today.

May I say, otherwise, the House bills have been ready for many weeks. We are waiting on the Senate to act and as fast as we can, we are appointing conferees to go to conference.

I do not see how we can vote on each individual bill as long as we have to keep all the bills within the limits of the Budget Act, so we have some problems, but we are proceeding up to the point where we can see where we are compared to the committee and subcommittee allocations. The delay has not been occasioned by our side.

Mr. MICHEL. Might I inquire of the distinguished chairman, notwithstanding the lean schedule that we have for all the Members, will the members of the gentleman's committee and conferees be in town long enough to really get some serious work done on conference reports?

Mr. WHITTEN. May I say, if the other body goes home, there is not much we can do here, but we will be available anytime to work.

Mr. MICHEL. Well, I appreciate that. It is my understanding that we are far ahead of the other body, and if they are going home when they have so much more work stacked up, it would seem to me that we ought to begin coming to grips with finalizing individual appropriation bills. That makes reconciliation, in my judgment, much easier for eventual resolution and I would think that is what we are aiming for, hopefully.

Mr. FOLEY. At the present time, Mr. Speaker, if the gentleman will yield further, we are anticipating that the reconciliation bill will be on the floor on October 27.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from New York. I know the gentleman had a measure on suspension earlier.

Mr. SOLOMON. Mr. Speaker, I thank the minority leader, and if I could just pose a question to the ma-

jority leader. On the schedule of the gentleman from California [Mr. COELHO] is a resolution which I introduced, which passed the Foreign Affairs Committee unanimously yesterday. It is an extremely timely resolution in lieu of what the Soviet panel said last night on Capitol to Capitol, when posed the question that there are no human rights abuses in the Soviet Union or in Afghanistan or in any of their client states. We know what is happening with booby trapped toys being dropped by Soviet airplanes maybe in killing women and children. I would like to see this resolution on the calendar. It is important. Some of these other things are totally innocuous. Could the majority leader tell us why it was pulled?

Mr. FOLEY. Mr. Speaker, I will tell the gentleman the reason they are not on the calendar is because it is difficult for the bill manager to be present on Monday and we are putting them off 1 week. It has nothing to do with the substance of the matter at all.

Mr. SOLOMON. Mr. Speaker, that is a good explanation. I accept it, and I thank the minority leader.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ADJOURNMENT TO MONDAY, OCTOBER 19, 1987

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2712, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1988

Mr. YATES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2712) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1988, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from

Illinois? The Chair hears none, and appoints the following conferees: Messrs. YATES, MURTHA, DICKS, BOLAND, AU COIN, BEVILL, WHITTEN, REGULA, MCDADE, LOWERY of California, and CONTE.

APPOINTMENT OF CONFEREES ON H.R. 2907, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS, 1988

Mr. ROYBAL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2907) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1988, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. ROYBAL, AKAKA, HOYER, COLEMAN of Texas, BOLAND, YATES, WHITTEN, SKEEN, LOWERY of California, WOLF, and CONTE.

APPOINTMENT OF CONFEREES ON H.R. 2713, DISTRICT OF CO- LUMBIA APPROPRIATION, 1988

Mr. DIXON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2713) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1988, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none and appoints the following conferees: Messrs. DIXON, NATCHER, STOKES, SABO, AU COIN, HOYER, WHITTEN, COUGHLIN, GREEN, REGULA, and CONTE.

APPOINTMENT OF CONFEREES ON H.R. 2714, LEGISLATIVE BRANCH APPROPRIATIONS, 1988

Mr. FAZIO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2714) making appropriations for the legislative branch for the fiscal year ending September 30, 1988, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. FAZIO, OBEY, ALEXANDER, MURTHA, TRAXLER, Mrs. BOGGS, Messrs. WHITTEN, LEWIS of California, CONTE, MYERS of Indiana, and PORTER.

APPOINTMENT OF CONFEREES ON S. 677, FEDERAL TRADE COMMISSION ACT AMEND- MENTS OF 1987

Mr. FLORIO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 677) to amend the Federal Trade Commission Act to provide authorization of appropriations and for other purposes, with a House amendment thereto, insist on the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? The Chair hears none, and appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the Senate bill and House amendments, and modifications committed to conference: Messrs. DINGELL, THOMAS A. LUKEN, FLORIO, LENT, and WHITTAKER.

From the Committee on Rules, for consideration of section 13 of the Senate bill and modifications committed to conference: Messrs. PEPPER, MOAKLEY, DERRICK, BEILENSON, FROST, QUILLLEN, and TAYLOR.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO MEET TODAY DURING THE 5-MINUTE RULE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may be allowed to meet for the balance of today during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MADIGAN. Reserving the right to object, Mr. Speaker, I do this for the purpose of inquiring under the reservation when the gentleman from Texas intends to meet. It is now 11:45. I wondered if the gentleman was intending to meet immediately or to meet this afternoon?

Mr. DE LA GARZA. Mr. Speaker, if the gentleman will yield, it had been our intention to meet this morning, but the distinguished guest that we had made us change our schedule. I doubt that we would meet at this point, so probably it would be better to reschedule it for 1:30 this afternoon.

Mr. MADIGAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will announce that pursuant to an agreement earlier entered into, it is the purpose of the Chair to recognize 5 Members on each side, a total of 10 Members, for 1-minute speeches at this time. Any additional 1-minute speeches or requests to address the House will await the completion of the business of the day.

TO GOVERN IS TO CHOOSE

(Mr. COELHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COELHO. Mr. Speaker, supporters of the Persian Gulf reflagging operation oppose invoking the War Powers Act, saying it would "undermine" our soldiers in the gulf. Ironically, many of these critics risk doing real damage to our Nation's defenses by refusing to accept reality on revenues.

Because of Democratic leadership in the Congress, there is now a 6-year plan for eliminating the deficit. But as John F. Kennedy said, "to govern is to choose," and now Congress must make a choice.

The Congress can pass legislation which modestly raises revenues and selectively cuts spending, as recommended by the Committee on Ways and Means. Or, we can let the computer at OMB cut the budget for us. But look at the impact such computer-driven cuts would have on national security.

Without the Ways and Means package, defense research and development and procurement will be cut 10 percent. And according to CBO, we could lose \$8 billion in operations and maintenance—accounts which provide the steaming and flying time critical to our Persian Gulf operations.

So, the message is clear. If you want to preserve congressional defense priorities and provide balanced deficit reduction, support the Ways and Means package. If you want to protect the role of Congress in foreign policy and defense—as I do—invoke War Powers. But don't undermine our soldiers abroad with mindless fiscal policies at home.

□ 1145

INSULT

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DORNAN of California. Mr. Speaker, a shocking thing happened last night on American and Soviet television. I implore you to give me a Coelho-extended minute this morning because I come to the well with a heavy heart. I speak as a former U.S. postal employee. During five Christmases in my youth, I slaved during the busiest time of year in the post office. I spent 3 years down at the terminal annex in Los Angeles and worked two Christmases in the Beverly Hills Post Office. It was hard work and I was proud of that service.

Last night on worldwide television with 140 million Russians listening, a Member of the U.S. Congress, as we always say "from the other body," was doing an otherwise excellent job on Nightline's "Capitol to Capitol" program. But this unnamed colleague said the following in response to one of those Soviet so-called congressmen that meet only 4 days a year.

The Soviet, Georgi Zhukov, says, and I delete the Senator's name, "Did you get my letter, the letter I sent you 10 days ago?"

This unnamed Senator said, "Mr. Zhukov, the United States mails are not up to the standards of the Soviet Union, that I grant you."

Then there is much laughter at the expense of the U.S. Federal workers.

Finally he says, "No, I haven't gotten it. I look forward to it."

Now, Mr. Speaker, you know the criticism our great Vice President suffered when he made an offhand flippancy remark about adding some Soviet workers to the ranks of our excellent Detroit autoworkers. Some people in the press sent ballistic with that, "I got you, I got you, I got you," stuff.

What I want to know is if the press is going to talk to this senior Senator about ripping up our postal employees and making the suggestion that the Soviet mails are equivalent to our own. We both know, Mr. Speaker, that the Soviet mail delivers none of our letters to dissidents there.

Mr. Speaker, I authored an amendment which was passed unanimously by Foreign Affairs, which I have just heard was not included in the Senate version of the bill, that says the Soviet Union systematically interferes with the mail.

I appreciate this Coelho minute, Mr. Speaker. But, Mr. Speaker, I want an apology from that Senator, and I know the distinguished gentleman from Maryland [Mr. HOYER] will back me up on that.

At this point I include my amendment:

AMENDMENT TO THE STATE DEPARTMENT AUTHORIZATION OFFERED BY MR. DORNAN OF CALIFORNIA

Page 37, after line 13, add the following new section:

SEC. . CONCERNING THE SYSTEMATIC NONDELIVERY OF INTERNATIONAL MAIL ADDRESSED TO CERTAIN PERSONS RESIDING WITHIN THE SOVIET UNION.

(a) FINDINGS.—The Congress makes the following findings:

(1) The integrity of the mail service between the United States and the Soviet Union is being called into question by mailers in the United States who assert that postal items are systematically not being delivered to selected addresses in the Soviet Union.

(2) The explanations required under international law and given by the Soviet postal administration in regard to the nondelivery of mail to certain addresses have been inaccurate, insufficient, or untimely.

(3) The mail which is not being delivered typically is between family members or persons sharing a religious, ethnic, or professional bond and typically consists of personal correspondence of gifts of articles for personal or professional use.

(4) The nondelivery of mail which is deliverable as addressed and which does not contain prohibited articles is an interference by the Soviet Union with internationally recognized human rights guaranteed to all persons by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe.

(5) Such nondelivery violated the Acts of the Universal Postal Union.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress—

(1) that the President through the Department of State, should express to the Government of the Soviet Union the disapproval of the American people—

(A) concerning those postal items which are in the United States and are deliverable in the Soviet Union as addressed but which are systematically not delivered by the Soviet Union to the person to whom they are addressed; and

(B) concerning violations by the Soviet Union of the Acts of the Universal Postal Union and violations of the Final Act of the Conference on Security and Cooperation in Europe;

(2) that the Department of State should bring to the attention of the member countries of the Universal Postal Union patterns of nondelivery of international mail by the Soviet Union contrary to the Acts of the Universal Postal Union and to the Final Act of the Conference on Security and Cooperation in Europe, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights; and

(3) that at the Congress of the Universal Postal Union in Washington, District of Columbia, in 1989, the delegation of the United States should ask other member countries to support the adoption of technical amendments to the Universal Postal Convention and to take such other measures as they consider appropriate that would encourage improved postal performance by the Soviet Union.

NATIONAL RESURGENCE OF ALCOHOL FUELS

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, I will address the House on a matter un-

related to the delivery of the Soviet mail.

Mr. Speaker, today the Secretary of Energy reported from Cairo by way of NBC "Today Show" that the United States must keep the sea lanes through the Persian Gulf open so that foreign oil can flow freely to the United States and to our allies.

As an alternative to the dependence on foreign oil, Mr. Speaker, I urge the Secretary to observe the recent actions in Congress by the House Committee on Agriculture and by the Subcommittee on Energy and Power, both of which recently approved the use of alcohol fuels in America's motor fuel supply.

Mr. Secretary, rather than relying on the current course of drift that risks the loss of American life and treasure in the Persian Gulf, I call upon the administration to recognize a national alcohol fuels policy that would create a new market for farmers, diminish air pollution, reduce dependence on foreign oil, and take a step by this Nation toward a declaration of energy independence.

Mr. Speaker, our Nation has both the resources and the technology to be energy independent. We lack only the policy.

SHOOTING OURSELVES IN THE HEAD

(Mr. CLINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINGER. Mr. Speaker, 200 years ago George Washington warned us to "avoid foreign entanglements" during his Farewell Address. Today we seem determined to carry his advice to ludicrous extremes. By grossly underfunding the ability of the Department of State to conduct the foreign policy of this country, we are not just avoiding foreign entanglements, we are making it almost impossible for us to even talk to foreigners on any kind of a sustained basis.

Now comes word that, because of drastic cuts in appropriations, about 1,200 State Department personnel will be let go or phased out. My colleagues, this is not just shooting ourselves in the foot, it's shooting ourselves in the head. At the same time we are preparing to further reduce our presence abroad by closing consulates and drastically cutting personnel at key Embassies, the Soviet Union is increasing its diplomatic presence almost everywhere we are retreating.

Mr. Speaker, these cuts seriously impair our ability to compete with the Soviets in the world of ideas. We must recognize that the foreign policy of this country cannot be conducted on the cheap. Nor can we withdraw from the world. As Shakespeare said, "The world is too much with us." If we want

the world to look on us as a great power, we better act like one. Emasculating our Foreign Service is not the act of a great power.

THANK GOODNESS IT'S OVER

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, we are seeing Nobel Prizes being handed out this week, but I think there should be another prize and that is the prize for grace under pressure and it should go to Geraldine Ferraro and her husband John Zaccaro. It is now almost 3 years since the 1984 election and their family has been through an incredible amount. We have seen all sorts of politics being played under the guise of justice. Thank goodness it is now finally over for them, and the patience it must have taken was unbelievable.

I, as an attorney, was utterly appalled when I saw the cross-examination of the prosecution's main witness. If that is all they had and if that is what they were using to make them spend so much of their resources to defend against that, that is shameful.

Everywhere else we say you are innocent until proven guilty. So often in politics you are guilty until proven innocent.

I salute both of them and I really think it is incredible that we allowed this to go on so long.

DISCHARGE PETITION FOR HOUSE JOINT RESOLUTION 321

(Mr. INHOFE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INHOFE. Mr. Speaker, an overwhelming majority of Americans want Congress to do something it's not accustomed to doing. Americans want us to be responsible with their money.

A New York Times poll reported last May that 85 percent of Americans favor adding an amendment to the Constitution that requires us to be responsible. Americans know that a balanced budget amendment is the only way to keep Congress from spending money it doesn't have. And that Times poll, by the way, shows support for the amendment is bipartisan. Eighty-four percent of Democrats want the amendment. Eighty-nine percent of Republicans want the amendment.

On the surface, Congress mirrors the wishes of the folks back home. A majority of the Members of this Chamber have gone on record in favor of House Joint Resolution 321, the balanced budget amendment. Two hundred and thirty-six of us gladly added our names as cosponsors of the amendment. But that was easy. We knew it would play well back in the district.

It would appear to be a simple maneuver. After all, 236 Members cosponsored the balanced budget amendment and only 218 names are needed to force a vote on the resolution.

Now comes the time to fish or cut bait. This is the litmus test. If we really meant what we implied when we cosponsored House Joint Resolution 321 then we need now to sign a discharge petition to force the resolution out of committee and onto the floor for an honest vote. I believe those 85 percent of Americans must be heard.

I urge all Members who cosponsored the balanced budget amendment to quickly add their names to the discharge petition. If a Congressman cosponsored the bill but won't support a discharge petition he has either quit believing in the need for a balanced budget amendment or he is deceiving his constituents.

I really believe it's up to the constituents now.

THE GIANTS TALK WHILE THE CARDINALS PLAY CHAMPIONSHIP BASEBALL

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, well, well, well.

They said they were going to stomp the breath out of the Cardinals. They said the Cardinals were from a cow town. They said they were on a mission. They said they would win in less than seven games. They said, they said, they said. But, while the San Francisco Giants were talking, the St. Louis Cardinals were playing championship baseball.

So much for Jeffrey Leonard, for Chili Davis, for Mike Krukow, so much for Bob Brenly. They're history. Their season is over. San Francisco Giants, I'd like for you to meet the St. Louis Cardinals, your national league champions.

My congratulations to Whitey Herzog and the entire Cardinal organization. You have brought pride to yourselves, to St. Louis, to Missouri, to the National League. We salute you.

As the Giants scurry back to San Francisco to lick the wounds, our high-flying Cardinals are on the way to Minneapolis. Just a word of warning to the Twins, don't think the World Series can be won with a battle of words. The soft-spoken Cardinals are ready to play ball. Just as the Giants.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Missouri.

Mr. EMERSON. Mr. Speaker, I would like to associate myself with the profound and eloquent remarks of the

gentleman from Missouri [Mr. VOLKMER] and to extend on behalf of all of southeast Missouri to the Cardinals our very best wishes for the games that lie ahead in the World Series.

Mrs. BOXER. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentlewoman from the San Francisco area.

Mrs. BOXER. Mr. Speaker, I want to congratulate the gentleman. The Cardinals are a great team. I just want to add one note, wait until next year.

RADIO CATOLICA

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, during the past weekend my wife Donna and I took part in a 4-day mission to Nicaragua. Our purpose was to help Radio Catolica resume operation as an independent voice in Central America.

I am pleased to report that, after the replacement of parts and general repairs, Radio Catolica is now operating at 7 kilowatts and has an audience that reaches into neighboring Costa Rica.

Our trip was not made on behalf of the U.S. Government. Instead, it was a private mission undertaken at the request of Miguel Cardinal Abando y Bravo and was made possible by the generous assistance of Jefferson Pilot Broadcasting.

I cannot overemphasize the important role that Radio Catolica can play in ensuring that the peace process goes forward in Central America. I hope, too, that when the history of this era is recorded, special mention will be made of a few people who have given generously of themselves to assist in this effort.

Those people would include John Buffaloe of San Diego, an engineer with Jefferson Pilot; Luis Endara of Miami, a consulting engineer for Radio Catolica; and my wife Donna.

Our friends in Nicaragua need our help, Mr. Speaker, and they need to know that the people of the United States support them during this crucial time. Radio Catolica can help deliver that vital message.

THE NATION'S SCHOOLTEACHER

(Mrs. BYRON asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mrs. BYRON. Mr. Speaker, I rise today to salute what I think is our national schoolteacher. Last Monday on a cold windy hill in Frederick County on a glorious sunny day we laid to rest at the age of 94, Eleanor M. Johnson. The name Eleanor M. Johnson prob-

ably does not mean much to many of those people that are sitting here listening today, but I think when I tell you what Eleanor Johnson did it will give a fond, warm memory because in August 1928, almost 60 years ago, Eleanor Johnson founded the Weekly Reader. I remember the Weekly Reader. My children have read the Weekly Reader. Now I have two grandchildren that are reading the Weekly Reader.

She brought the world into the classroom. The Weekly Reader was an instant success. Today it has a circulation of over 9 million of which over 40 percent of our schoolchildren weekly understand what is going on in this Nation. She also wrote over 50 books on reading, arithmetic, and geography. Although she never married, never had the pleasure of having her own children, I think she felt the Nation's schoolchildren were hers.

I know the relationship that my children and grandchildren have will be far richer because of her life.

In Miss Johnson's honor Field Publications has established two \$2,500 scholarships to Connecticut and Ohio college students wishing to pursue degrees in the field of education. I think it is only right that this Nation takes time to recognize the long-term effort we have seen of our national schoolteacher Miss Eleanor Johnson.

Mr. DURBIN. Mr. Speaker, will the gentlewoman yield?

Mrs. BYRON. Mr. Speaker, I yield to the gentleman from Illinois.

NATIONAL ETHANOL POLICY LEGISLATION

Mr. DURBIN. Mr. Speaker, as the days go by on Capitol Hill toward the end of the year we are debating, of course, how to resolve our budget deficit. One of the serious concerns is how to bring down Federal spending this year and to avoid as much as possible any increase in revenues.

We now have before us for our consideration a national ethanol policy bill which I think can help very much in that regard.

□ 1200

The Congressional Research Service last week analyzed this bill and suggested that if we in Congress would adopt a national ethanol policy, we could reduce our Federal budget deficit by \$7 billion per year by the year 1992, increase farm income, reduce our dependence on foreign oil, and clean up our air pollution problems in America. I think this is a giant step forward. I commend it to my colleagues, and I hope we will include it as part of our reconciliation package.

JUDICIARY COMMITTEE SETS LIMITS ON TESTIMONY IN BALANCED BUDGET AMENDMENT HEARINGS

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, late yesterday afternoon, supporters of the balanced budget amendment learned that the Judiciary Committee will today hold hearings on this most important legislation. Not only did we get less than 24 hours notice of these hearings, but we also learned that only opponents of the balanced budget amendment had been scheduled to testify. Today, apparently, the chief sponsor of the amendment has been told he could testify at the very end of the hearings.

Mr. Speaker, this episode reflects very poorly on the committee leadership. It is quite unfair that the leadership would so cavalierly disregard the most basic tenet of our democracy—the right for all sides, all opinions, equally to be heard.

Any number of Members of Congress could speak before this body today on the merits of the balanced budget amendment. It has 237 cosponsors. The overriding reason, of course, is that our budget process, as it is now run, is broken. It is not working. The balanced budget amendment will ensure that we do not continue on this course to spend America into economic destruction.

Unfortunately, the issue now appears to be not whether the amendment will work, but whether Congress will ever have a fair opportunity to consider it. In the long run, I don't think this kind of action will make the balanced budget amendment disappear; for one reason—the President wants it, a great number of Members of Congress want it, and, most importantly, the American people want it.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 7, 1987.

HON. JIM WRIGHT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L(50) of the Rules of the House of Representatives, that I have been served with a subpoena issued by the United States District Court for the District of Columbia. After consultation with the General Counsel to the Clerk, I will notify you of my

determinations as required by the House Rule.

Sincerely,

JACK RUSS,
Sergeant at Arms.

HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION AND PREVENTION ACT OF 1987

The SPEAKER. Pursuant to House Resolution 280 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 162.

□ 1203

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 162) to establish a system for identifying, notifying, and preventing illness and death among workers who are at increased or high risk of occupational disease, and for other purposes, with Mr. TORRES in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 14, 1987, the bill was open to amendment at any point.

The Chair recognizes the gentleman from Pennsylvania [Mr. GAYDOS].

AMENDMENT OFFERED BY MR. GAYDOS

Mr. GAYDOS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GAYDOS: Page 32, after line 2, insert the following new paragraph:

(5) No action may be brought for any claims based on a good-faith determination made by a physician under this subsection.

Mr. GAYDOS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAYDOS. Mr. Chairman, I had submitted this amendment yesterday, and after discussion with my good friend and colleague on the minority, we had talked about the amendment. We discussed it in toto, and I withdrew it temporarily until we had a chance again to reconsider the suggested amendment to the amendment, and I have, pursuant to that understanding, now introduced the amendment in its original form.

Let me say this about the amendment. The bill as written creates a very important Risk Assessment Board, and that Risk Assessment Board makes certain decisions. Following the procedure of the Board, we get down to the medical removal provisions in the bill as written. The medi-

cal removal provisions follow the provisions that are in many of the OSHA standards. It is not uncommon to have medical removal provisions, and our legislation follows that practice.

The medical removal provision is very simplistic in concept but very important as to the results that it effects. In this case we do provide by the amendment that no action shall be brought for any claims based on a good-faith determination by a physician under this section. We did this because we thought that the physician representing the employee in a case or question of medical removal from one job to another and the physician under the terms of the bill that will be agreed upon and appointed by the employer should be addressed, and those two physicians in turn under the terms of the bill would then have a right or a duty or an opportunity, depending on what they do and how we interpret it, to appoint a third one if they cannot agree as to what their disposition of the immediate case is.

Now, under those conditions, analyzing how it affects the bill and taking into consideration the very nature of the provision, meaning that we are dealing with professionals, with physicians, and in the light of so many malpractice suits throughout the country, we felt it was proper in this section under these conditions to insert therein this protective device and to protect and insulate those physicians who are called upon to make that determination under this bill as written. Now, I believe it is medically sound, and it is based upon the consensus of the medical profession. I think it is a reasonable request. I think anything else, other than what we have provided in this amendment, would be considered surplus and would lead to a defeat of the amendment and the acceptance of the amendment.

So, Mr. Chairman, I ask my colleagues to accept the amendment as presented.

AMENDMENT OFFERED BY MR. HENRY TO THE AMENDMENT OFFERED BY MR. GAYDOS

Mr. HENRY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HENRY to the amendment offered by Mr. GAYDOS: In the matter proposed to be inserted by the amendment of the gentleman from Pennsylvania, insert ", employee representative, or employer" after "physician".

Mr. HENRY. Mr. Chairman, referring to the difficulty we presented to the body in yesterday's discussion, let me just review where we left that discussion. We were very close in fact to having reached agreement on this until about an hour and a half ago.

The question really is: Why should a physician receive treatment which is different than any other agent or individual rendering medical decisionmak-

ing and being involved in medical procedures under the act?

Now, there certainly is no question in my mind that there is a serious problem of professional malpractice and professional liability. We all know the impact that this is having on the medical community. The gentleman from Pennsylvania is aware of that. That is why he is offering the amendment. I certainly do not question that.

The problem is, however, the way in which one category of workers, as it were, is singled out in this bill under this amendment for privileged treatment when in fact we have the problems of the bill which the amendment indirectly acknowledged by virtue of its introduction and the liability explosion extends across the whole panorama of this bill in terms of all those involved in these decisionmaking processes.

The Members will recall that we pointed out that it seems somewhat awkward, for example, to exempt an M.D. physician from any liability either for overreferring or underreferring a contested issue relative to the medical disposition of a claim under the act and at the same time not at least offer the same kind of protection to an epidemiologist who has an equal professional role. In fact, I think a good argument can be made that the bill itself is pointing out that most of our physicians are not well trained in epidemiology. Another section of the bill establishes a national program that tries to deal with and develop and stimulate epidemiological research and teaching in our medical institutions because of this very fact.

In fact, the testimony we heard on the bill in committee, both testimony for the bill and testimony opposed to the bill, did not come primarily from M.D. physicians but from Ph.D. epidemiologists, because they are the ones who in fact are most trained and most conversant with the issues of occupational health. It is the Ph.D. epidemiologist who counsels industry; it is the Ph.D. epidemiologist who works with the labor movement; it is the Ph.D. epidemiologist who tends to be active in the environmental community; it is the Ph.D. epidemiologists who are hired in the Department of Labor when we talk about updating the Z tables or OSHA regulations; it is the Ph.D. epidemiologist who is involved in HHS issues.

First of all, there is an arbitrary line between M.D.'s and epidemiologists which indicates the arbitrariness. I see the gentleman is rising, and I suspect he is going to say, "Well, then, I will add the epidemiologist." The point is that if we add the epidemiologist, why then do we not also extend this to anyone who is involved in the medical referral process, because all parties are involved?

Let me point out that this does not solve the problem of professional malpractice or tort responsibility. It simply shifts liability to a different place in the liability claim. We can give immunity to the medical physician acting as agent of the employer or to the medical physician acting as agent of the employee in this preferential way, but all we do is shift responsibility to the person for whom that individual is an agent.

If in fact it is discovered that a physician is overreferring out of fear of the consequences of underreferring, which indeed is one of the problems of contemporary medicine, what we call defensive medicine, the agent for whom that physician works is still susceptible to suit and tort responsibility and subrogated liabilities under this provision. Likewise, if the physician should underrefer—and in this case the suspicion would be that maybe it was an in-house physician who gets paid very handsomely to the extent that he refuses to err in judgment on the side of the employee and tends to err in judgment on the side of the employer—he in turn may be absolved from responsibility under the gentleman's amendment, but the person who employs that physician is not.

Mr. GAYDOS. Mr. Chairman, will my colleague yield?

Mr. HENRY. I am pleased to yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Chairman, I do not question the sincerity of my colleague's observations, but I would like to point out that in the bill in numerous places we have granted like immunity, for instance, to the employer. Should he opt under the terms of the bill to notify and take on the obligation of notification, he is immune from prosecution if an individual does not receive notification or if he does receive it. So we are trying to be fair in the bill.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HENRY] has expired.

Mr. GAYDOS. Mr. Chairman, if the gentleman will yield further, we go a little further and we come to the Risk Assessment Board. We tell the Board by the language in our bill, we say this to the Risk Assessment Board: "You are going to be removed from any liability in making your medical decisions, who to notify, whether it is sufficient."

So what we did in this particular section, again responding to the sensitivity of an awful lot of publicity and an awful lot of questions raised about malpractice, as I mentioned yesterday, we thought it only right in this section to also give that immunity to the physician in making a determination as to the removal, not in treatment, if he makes a mistake in the type of treatment he is giving. That would be part of it, but in fact let me emphasize this.

His decision is only one of removing an individual if he is exposed under certain conditions. His treatment is not part of this bill. His treatment as a physician, his ability to dispense medicine is not a part of this bill. The only thing that is part of this bill is his decision to make a removal from one job to another.

I think we have been fair in the bill. I would like to accommodate my friend. He knows well that I have accommodated him before. But this just does not fit in this particular section. If the gentleman could come up with a place in the bill to fit this in, I would be more than happy to support the gentleman in his position.

□ 1215

Mr. HENRY. Mr. Chairman, if I may reclaim my time, this is exactly the problem. The problem is why is the gentleman segmenting out a certain class of individuals when in fact the gentleman is not resolving the problem; the gentleman is shifting the problem.

If I am the factory manager, the factory owner, if it is a small- or medium-sized business, or if I am corporate management, why should I be forced to take up the liability of a professional with whom I have contracted?

What I am trying to get the gentleman to understand is, the gentleman has not resolved the problem of that malpractice liability one iota. The gentleman has simply shifted it, and in fact the gentleman is compounding the liability exposure even further of the employer or the union agent, as the case may be.

As we pointed out in yesterday's debate, in many cases the union agents are in this regard.

I simply would also say that the gentleman is mistaken when the gentleman talks about having sufficiently blocked out these kinds of liabilities in other instances. I do not see that. For example, the gentleman does give liability protection to the members of that Risk Assessment Board who are Government agents, but the gentleman does not give it to the professionals on that Board who are not agents, so in fact those professional medical judgments rendered by those who are making those judgments at the most profound fundamental point of determination as to whether or not risk exists or not on which this notification is triggered do not enjoy the same benefit protection.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HENRY] has expired.

Mr. HENRY. We do not in fact even treat all people equally there, nor do we in fact give exception to the Government agents as broadly as the gentleman suggests; and in fact, as the gentleman knows, one of the gentleman's own colleagues from Pennsylv-

nia is busy drafting another amendment, I am told, which tries to give some kind of immunities to other areas of government.

That is why the Department of Justice is so concerned about this bill because of the tremendous liability exposures which are opened up to the Federal Government in this, because now under this committee bill, H.R. 162, what we have done is actually transferred the primary responsibility for occupational health away from the employer quite frankly to the Federal Government, and the liabilities of that transfer will also follow to the Federal Government.

We are going to have a tremendous problem here of not only increases in private immunity which the gentleman with good intentions is trying to narrow, but in fact is only shifting, we will also see an explosion of liability suits against Government.

We all know what that is doing in our own districts where county supervisors, road supervisors are being sued, et cetera.

If the gentleman cannot withdraw the amendment enabling me to withdraw my amendment, I am going to be forced to request a record rollcall vote on this amendment, as the gentleman knows.

Mr. GAYDOS. Mr. Chairman, if the gentleman will continue to yield, let me conclude by saying this.

The only reason why this amendment is suggested, believe me, is hopefully to provide for a medical decision on removal that it be unfettered, unbiased, and one that a physician would make whether it is in favor of the employer or in favor of the employee, because we know that things occur on both sides of the fence.

Sometimes employees do not deserve maybe the decision made, and sometimes the employer does not, so that is the only reason why I have it in there.

Mr. HENRY. One Member has rather caustically said of the committee bill, somewhat jokingly but with some degree of truth, this bill is really a full-employment act for attorneys and for physicians; and what the gentleman really has done is gotten now a full-employment act for attorneys and physicians, and the gentleman has also protected physicians from their liability exposures under the bill by simply transferring an increasing liability cost to elsewhere in the process of litigation, the trail of litigation that the bill sponsors.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HENRY] to the amendment offered by the gentleman from Pennsylvania [Mr. GAYDOS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HENRY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 356]

ANSWERED "PRESENT"—405

| | | |
|--------------|--------------|---------------|
| Ackerman | Conyers | Goodling |
| Akaka | Cooper | Gordon |
| Alexander | Coughlin | Gradison |
| Anderson | Courter | Grandy |
| Andrews | Coyne | Grant |
| Annunzio | Craig | Gray (IL) |
| Anthony | Crane | Green |
| Applegate | Crockett | Gregg |
| Armey | Daniel | Guarini |
| Aspin | Dannemeyer | Gunderson |
| Atkins | Darden | Hall (OH) |
| AuCoin | Daub | Hall (TX) |
| Baker | Davis (IL) | Hamilton |
| Ballenger | Davis (MI) | Hammerschmidt |
| Barnard | de la Garza | Hansen |
| Bartlett | DeFazio | Harris |
| Barton | Dellums | Hastert |
| Bateman | Derrick | Hatcher |
| Bates | DeWine | Hawkins |
| Beilenson | Dickinson | Hayes (IL) |
| Bennett | Dicks | Hayes (LA) |
| Bentley | Dingell | Hefley |
| Bereuter | DioGuardi | Hefner |
| Berman | Dixon | Henry |
| Bevill | Donnelly | Herger |
| Bilbray | Dorgan (ND) | Hertel |
| Bilirakis | Dornan (CA) | Hiler |
| Boehlert | Dowdy | Hochbrueckner |
| Boggs | Downey | Hollaway |
| Boland | Dreier | Hopkins |
| Bonior | Duncan | Horton |
| Bonker | Durbin | Houghton |
| Borski | Dwyer | Howard |
| Bosco | Dymally | Hoyer |
| Boucher | Dyson | Hubbard |
| Boulter | Early | Huckaby |
| Boxer | Eckart | Hughes |
| Brennan | Edwards (CA) | Hunter |
| Brooks | Emerson | Hutto |
| Broomfield | English | Hyde |
| Brown (CA) | Erdreich | Inhofe |
| Brown (CO) | Espy | Jacobs |
| Bruce | Evans | Jeffords |
| Bryant | Fawell | Jenkins |
| Buechner | Fazio | Johnson (SD) |
| Bunning | Feighan | Jones (NC) |
| Burton | Fields | Jones (TN) |
| Bustamante | Fish | Jontz |
| Byron | Flake | Kanjorski |
| Callahan | Flippo | Kaptur |
| Campbell | Florio | Kasich |
| Cardin | Foglietta | Kastenmeier |
| Carper | Foley | Kennedy |
| Carr | Ford (MI) | Kennelly |
| Chandler | Ford (TN) | Kildee |
| Chapman | Frank | Kleczka |
| Chappell | Frenzel | Kolbe |
| Cheney | Galleghy | Kolter |
| Clarke | Gallo | Konnyu |
| Clay | Garcia | Kostmayer |
| Clinger | Gaydos | Kyl |
| Coats | Gejdenson | LaFalce |
| Coble | Gekas | Lagomarsino |
| Coelho | Gibbons | Lancaster |
| Coleman (MO) | Gilman | Lantos |
| Coleman (TX) | Gingrich | Latta |
| Combest | Glickman | Leach (IA) |
| Conte | Gonzalez | Leath (TX) |

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|----------------|----------------|---------------|
| Lehman (CA) | Oberstar | Smith (NE) |
| Lehman (FL) | Obeys | Smith (NJ) |
| Leland | Olin | Smith (TX) |
| Lent | Ortiz | Smith, Denny |
| Levin (MI) | Owens (UT) | (OR) |
| Levine (CA) | Oxley | Smith, Robert |
| Lewis (CA) | Packard | (NH) |
| Lewis (FL) | Panetta | Smith, Robert |
| Lewis (GA) | Parris | (OR) |
| Lightfoot | Pashayan | Snowe |
| Lipinski | Patterson | Solarz |
| Lloyd | Pelosi | Solomon |
| Lott | Penny | Spence |
| Lowery (CA) | Perkins | Spratt |
| Lowry (WA) | Petri | St Germain |
| Lujan | Pickett | Staggers |
| Lukens, Thomas | Pickle | Stallings |
| Lukens, Donald | Porter | Stangeland |
| Lungren | Price (IL) | Stark |
| Mack | Price (NC) | Stenholm |
| MacKay | Rahall | Stokes |
| Madigan | Rangel | Stratton |
| Manton | Ravenel | Studds |
| Markey | Ray | Stump |
| Marlenee | Regula | Sundquist |
| Martin (IL) | Richardson | Sweeney |
| Martin (NY) | Ridge | Swift |
| Martinez | Rinaldo | Swindall |
| Matsui | Ritter | Synar |
| Mavroules | Roberts | Tallon |
| Mazzoli | Robinson | Tauke |
| McCandless | Rodino | Taylor |
| McCloskey | Roe | Thomas (CA) |
| McCollum | Rogers | Thomas (GA) |
| McCurdy | Rose | Torres |
| McDade | Rostenkowski | Torricelli |
| McEwen | Roth | Towns |
| McGrath | Roukema | Trafiacant |
| McHugh | Rowland (CT) | Traxler |
| McMillan (NC) | Rowland (GA) | Udall |
| McMillen (MD) | Roybal | Upton |
| Meyers | Russo | Valentine |
| Mfume | Sabo | Vander Jagt |
| Mica | Saiki | Vento |
| Michel | Savage | Visclosky |
| Miller (CA) | Sawyer | Volkmer |
| Miller (OH) | Saxton | Vucanovich |
| Miller (WA) | Schaefer | Walgren |
| Mineta | Schneider | Walker |
| Moakley | Schroeder | Watkins |
| Molinari | Schuetz | Waxman |
| Mollohan | Schulze | Weber |
| Montgomery | Schumer | Weiss |
| Moody | Sensenbrenner | Weldon |
| Moorhead | Sharp | Wheat |
| Morella | Shaw | Whittaker |
| Morrison (CT) | Shays | Whitten |
| Morrison (WA) | Shumway | Williams |
| Murphy | Shuster | Wilson |
| Murtha | Sikorski | Wise |
| Myers | Slisisky | Wolf |
| Nagle | Skaggs | Wolpe |
| Natcher | Skeen | Wyden |
| Neal | Skelton | Wyllie |
| Nelson | Slattery | Yates |
| Nielson | Slaughter (NY) | Yatron |
| Nowak | Slaughter (VA) | Young (AK) |
| Oakar | Smith (IA) | Young (FL) |

□ 1230

The CHAIRMAN. Four hundred five Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Michigan [Mr. HENRY] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 197, not voting 20, as follows:

[Roll No. 357]

AYES—216

| | | |
|-----------|--------|-----------|
| Andrews | Archer | Baker |
| Applegate | Armey | Ballenger |

| | | |
|--------------|----------------|----------------|
| Barnard | Hayes (LA) | Price (NC) |
| Bartlett | Hefley | Ravenel |
| Barton | Hefner | Ray |
| Bateman | Henry | Regula |
| Bentley | Herger | Rhodes |
| Bereuter | Hiler | Ritter |
| Bevill | Holloway | Roberts |
| Bilbray | Hopkins | Rogers |
| Bilirakis | Horton | Rose |
| Boehlert | Houghton | Roth |
| Boulter | Huckaby | Roukema |
| Broomfield | Hunter | Rowland (CT) |
| Brown (CO) | Hutto | Rowland (GA) |
| Buechner | Hyde | Saiki |
| Bunning | Inhofe | Saxton |
| Burton | Jeffords | Schaefer |
| Byron | Jenkins | Schneider |
| Callahan | Johnson (CT) | Schuetz |
| Campbell | Johnson (SD) | Schulze |
| Chandler | Kasich | Sensenbrenner |
| Chapman | Kolbe | Shaw |
| Chappell | Konnyu | Shays |
| Cheney | Kyl | Shumway |
| Clarke | Lagomarsino | Shuster |
| Clinger | Lancaster | Sisisky |
| Coats | Latta | Skeen |
| Coble | Leach (IA) | Skelton |
| Coelho | Leath (TX) | Slattery |
| Coleman (MO) | Lent | Slaughter (VA) |
| Coleman (TX) | Lewis (CA) | Smith (NE) |
| Combest | Lewis (FL) | Smith (NJ) |
| Conte | Lightfoot | Smith (TX) |
| | Lloyd | Smith, Denny |
| | Lott | (OR) |
| | Lowery (CA) | Smith, Robert |
| | Lujan | (NH) |
| | Lukens, Thomas | Smith, Robert |
| | Lukens, Donald | (OR) |
| | Lungren | Snowe |
| | Mack | Solomon |
| | MacKay | Spence |
| | Madigan | Spratt |
| | Marlenee | Stallings |
| | Martin (IL) | Stangeland |
| | Martin (NY) | Stenholm |
| | Mazzoli | Stratton |
| | McCandless | Stump |
| | McCollum | Sundquist |
| | McCurdy | Sweeney |
| | McEwen | Swindall |
| | McGrath | Synar |
| | McMillan (NC) | Tauke |
| | Meyers | Taylor |
| | Michel | Thomas (CA) |
| | Miller (OH) | Thomas (GA) |
| | Miller (WA) | Upton |
| | Montgomery | Valentine |
| | Moorhead | Vander Jagt |
| | Morella | Volkmer |
| | Morrison (WA) | Vucanovich |
| | Myers | Walker |
| | Grant | Watkins |
| | Neal | Weber |
| | Nielson | Weldon |
| | Olin | Whittaker |
| | Oxley | Whitten |
| | Packard | Wolf |
| | Parris | Wortley |
| | Pashayan | Wyllie |
| | Petri | Young (AK) |
| | Pickett | Young (FL) |
| | Porter | |

NOES—197

| | | |
|-----------|--------------|--------------|
| Ackerman | Brooks | Dicks |
| Akaka | Brown (CA) | Dingell |
| Alexander | Bruce | DioGuardi |
| Anderson | Bryant | Dixon |
| Annunzio | Bustamante | Donnelly |
| Anthony | Cardin | Dowdy |
| Aspin | Carper | Downey |
| Atkins | Carr | Durbin |
| AuCoin | Clay | Dwyer |
| Bates | Coelho | Dyson |
| Beilenson | Coleman (TX) | Early |
| Bennett | Conte | Edwards (CA) |
| Berman | Conyers | Espy |
| Boggs | Coyne | Evans |
| Boland | Crockett | Fascell |
| Bonior | Darden | Fawell |
| Bonker | Davis (IL) | Fazio |
| Borski | Davis (MI) | Flake |
| Bosco | de la Garza | Florio |
| Boucher | DeFazio | Foglietta |
| Boxer | Dellums | Foley |
| Brennan | Dickinson | Ford (MI) |

| | | |
|---------------|---------------|----------------|
| Ford (TN) | Lowry (WA) | Robinson |
| Frank | Manton | Rodino |
| Frost | Markey | Roe |
| Garcia | Martinez | Rostenkowski |
| Gaydos | Matsui | Roybal |
| Gejdenson | Mavroules | Russo |
| Gibbons | McCloskey | Sabo |
| Gilman | McDade | Savage |
| Gonzalez | McHugh | Sawyer |
| Gordon | McMillen (MD) | Schroeder |
| Gray (IL) | Mfume | Schumer |
| Guarini | Mica | Sharp |
| Hall (OH) | Miller (CA) | Sikorski |
| Hamilton | Mineta | Skaggs |
| Hawkins | Moakley | Slaughter (NY) |
| Hayes (IL) | Molinari | Smith (FL) |
| Hertel | Mollohan | Smith (IA) |
| Hochbrueckner | Moody | Solarz |
| Howard | Morrison (CT) | St Germain |
| Hoyer | Mrazek | Staggers |
| Hubbard | Murphy | Stokes |
| Hughes | Murtha | Studds |
| Jacobs | Nagle | Swift |
| Jones (NC) | Natcher | Tallon |
| Jones (TN) | Nelson | Torres |
| Jontz | Nowak | Torricelli |
| Kanjorski | Oakar | Towns |
| Kaptur | Oberstar | Trafficant |
| Kastenmeier | Obey | Traxler |
| Kennedy | Ortiz | Udall |
| Kennelly | Owens (NY) | Vento |
| Kildee | Owens (UT) | Visclosky |
| Klaczka | Panetta | Walgren |
| Kolter | Patterson | Waxman |
| Kostmayer | Pelosi | Weiss |
| LaFalce | Penny | Wheat |
| Lantos | Perkins | Williams |
| Lehman (CA) | Pickle | Wilson |
| Lehman (FL) | Price (IL) | Wise |
| Leland | Rahall | Wolpe |
| Levin (MI) | Rangel | Wyden |
| Levine (CA) | Richardson | Yates |
| Lewis (GA) | Ridge | Yatron |
| Lipinski | Rinaldo | |

NOT VOTING—20

| | | |
|--------------|------------|---------|
| Badham | Gray (PA) | Pursell |
| Biaggi | Ireland | Quillen |
| Bliley | Kemp | Roemer |
| Collins | Livingston | Scheuer |
| Dymally | Nichols | Stark |
| Edwards (OK) | Pease | Tauzin |
| Gephardt | Pepper | |

□ 1245

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. Scheuer against.

Messrs. LELAND, HAMILTON, and GUARINI changed their votes from "aye" to "no."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GAYDOS], as amended.

The amendment, as amended, was rejected.

AMENDMENT OFFERED BY MR. DANNEMEYER

Mr. DANNEMEYER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANNEMEYER: Page 14, after line 18, insert the following new subsection:

(e) DESIGNATION OF HEALTH AND EMERGENCY CARE WORKERS REQUIRED.—Notwithstanding any other provision of this section, the Board shall designate as a population at risk those health care workers and emergency care workers who are at risk of occupational exposure to the disease known as acquired immune deficiency syndrome or the

virus known as HTLV-III or LAV virus. The Board shall develop the form and method of notification and determine the appropriate type of medical monitoring or health counseling with respect to such population in accordance with subparagraphs (C) and (D) of subsection (b)(1). The designation of such population at risk shall be subject to notice, comment, and review in accordance with subsection (d).

Mr. DANNEMEYER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANNEMEYER. Mr. Chairman, the amendment that this Member from California is offering to H.R. 162 will provide some guidance to the health care workers of America, who number some 3 to 4 million, in what protection they should be taking when caring for those patients with AIDS in the public health care system today. It provides that health and emergency care workers be designated a population at risk. This designation would require the Labor Board created in H.R. 162 to notify these workers and their employees about the risk of treating AIDS patients and how to protect themselves from infection.

The amendment enjoys bipartisan support. The amendment is supported by the International Fire Chiefs Association. The amendment covers all health care workers including physicians, nurses, dentists, dental hygienists, firefighters, emergency care workers, and any person giving health care to an HIV positive person.

I would like to be able to say to my colleagues that the Department of Labor, OSHA, would do this of their own accord because they have that responsibility under the existing law now, but I am offering this amendment in the direct reform that is mandating that the Department of Labor do this work because, candidly, OSHA has tragically faulted in their responsibility in this regard. Earlier this year the American Federation of State, County and Municipal Employees petitioned OSHA to take the action that I am talking about, and OSHA has done nothing. That is why from a policy standpoint it is imperative that in this bill designating hazardous occupations that we give some indication to the health care workers of how to protect themselves.

This amendment will ensure that health and emergency care workers and employers are educated about how to protect themselves from infection with the AIDS virus and other opportunistic diseases associated with AIDS. We should understand that health care workers are the first line of defense in caring for AIDS carriers. Yet health care workers in many employ-

ment settings are being forced to continue to care for AIDS carriers without being permitted to take actions to protect themselves against infection with this fatal virus.

I would like to give my colleagues a few instances of why it is necessary that we adopt this amendment.

The Virginia funeral directors want the general assembly to approve legislation that would require hospitals to tag the bodies of AIDS victims. Officials at Sentara Norfolk General Hospital, and Chesapeake General Hospital said confidentiality laws limit the information they can disclose on a tag that would alert funeral directors to the fact that a deceased died from AIDS.

According to CDC three female hospital workers became infected with the HIV virus after the blood of AIDS patients was splashed on them. All three health care workers experienced only one exposure to AIDS infected blood. Two of the three workers were not wearing protective garments because they did not know that the patients were infected.

The Washington Post reported that a CDC official expressed concern that many health care workers have been exposed to the AIDS virus without knowing it.

On April 11, the CDC recommended that dental, surgical, and obstetric health care workers use extraordinary care to avoid becoming infected with the AIDS virus. Gloves, masks, and gowns were among the suggested precautions.

I would like to pause for a moment here to talk about the distinction between guidelines and notification. A guideline comes out from CDC to a hospital and it is posted on the wall. Sometimes those are seen and sometimes those are not seen.

The notification that we are talking about in this bill would go from the agency, the Department of Labor, and it would be mailed to the employees so the employee would have the advantage of getting the advice themselves. I believe that is a big improvement over the idea of just sponsoring or issuing some guidelines.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. DANNEMEYER was allowed to proceed for 3 additional minutes.)

Mr. DANNEMEYER. Chuck Fallis, a CDC spokesman, admits that nurses who care for AIDS patients on a long-term basis are at risk of contracting the disease. A prominent Milwaukee heart surgeon refused to operate on patients infected with the AIDS virus and says he finds it disturbing that all hospitals do not insist on virus tests before surgery.

Dr. Dudley Johnson, who is considered a pioneer in the techniques of multiple heart bypass, said medical personnel deserve to know if a person in the operating room is infected with the AIDS virus.

A New York dentist was infected with the AIDS virus through exposure to a patient's infected blood or saliva, reported in the Washington Times, June 5, 1987.

Health care workers have been penalized for trying to protect their own lives. A nurse at Johns Hopkins Hospital in Baltimore was suspended for 3 days after she refused to take part in an operation involving a heart patient infected with the AIDS virus.

Norma Watson, a nurse at San Francisco General Hospital, has filed suit against the hospital and officials of the California Health Department for defects to her newborn son believed to have been caused by Miss Watson's exposure to AIDS patients during her pregnancy. Miss Watson was required to treat infected patients without the benefit of protective garments even though it was known that many of these patients were infected with cytomegalovirus, a virus known to cause birth defects.

Miss Watson is on record as requesting that she be permitted to wear protective garments in dealing with AIDS patients.

Two studies of the incidence of infected patients admitted to emergency rooms indicate that such persons have an unusually high rate of infection. A Johns Hopkins study published in the Journal of the American Medical Association of May 1987, reports that 3 percent of 203 patients admitted to the emergency room were not suspected of being infected but who were found to test positive for antibodies to the HLV virus.

Dr. James Baker, head investigator in the Johns Hopkins study, performed a second study of 2,303 emergency room admittees and found the prevalence of HLV infection to be twice as high.

□ 1300

Baker cautioned emergency room workers and other employees who frequently come into contact with bleeding persons, such as police officers and paramedics, to wear gloves and other protective gear.

Mr. LOTT. Mr. Chairman, will the gentleman yield?

Mr. DANNEMEYER. I yield to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. I thank the gentleman for yielding.

Mr. Chairman, I would like to commend the gentleman for his very serious and very important amendment. I think there is probably no part of our society as a matter of fact more at risk now of the threat of death than our

people who are now on the front lines in the health care area. My own wife is a dental hygienist.

The CHAIRMAN. The time of the gentleman from California [Mr. DANNEMEYER] has expired.

(On request of Mr. LOTT and by unanimous consent, Mr. DANNEMEYER was allowed to proceed for 1 additional minute.)

Mr. LOTT. Mr. Chairman, will the gentleman continue to yield?

Mr. DANNEMEYER. I yield to the gentleman from Mississippi [Mr. LOTT].

Mr. LOTT. I have learned that people in the health care area are very much at risk in their dealing with and treating those infected with AIDS. If they do not take proper precautions, including gloves, masks, gowns, their very lives are at stake.

If you are going to have legislation like this, risk notification, I think at a very minimum we should have risk notification for the health care workers, firefighters, people who are working with and dealing with AIDS patients.

So I commend the gentleman for his amendment and would urge its adoption.

Mr. DANNEMEYER. I thank my colleague for those comments.

I have some additional comments here to observe: 12 nurses working in the Carlisle Clinic in Urbana, IL, tested positive for tuberculosis after treating a patient who suffered from that disease.

What these cases illustrate is the common theme: there is evolving in this country in the health care industry a little smattering of knowledge as to what precautions health care workers should use in caring for AIDS patients. They do not want to get this fatal disease.

This amendment will cause the Department of Labor to collate available information.

The CHAIRMAN. The time of the gentleman from California [Mr. DANNEMEYER] has again expired.

(By unanimous consent, Mr. DANNEMEYER was allowed to proceed for 1 additional minute.)

Mr. DANNEMEYER. Mr. Chairman, this amendment will cause the Department of Labor to collate the available information in terms of what protections health care workers have found it appropriate to develop on a case by case basis around this country and set it in the form of a national policy to all health care workers across this land.

Considering that we have between 1 and 4 million people that are infected with the virus, nobody knows how many, and we have not yet adopted a national testing program to determine the extent of the virus in our society, if we do not want to have the phenomenon develop in America where the health care workers are voting

with their feet by going off the jobs rather than exposing themselves to unnecessary risks, this is the kind of amendment we should be adopting so that our public health officials and the Department of Labor are giving notification to our health care workers as to as how they can protect themselves from getting this virus.

I ask your "aye" vote.

Mr. GAYDOS. Mr. Chairman, I move to strike the last word and I rise in opposition, reluctantly, to the amendment.

The amendment is well meant and, given the situation that exists throughout the Nation today, I think justifiable in some regards, probably in most regards. However, we are talking about this legislation in the form it is in and other activities, which is now the obligation of other agencies and governmental compartments of various areas throughout the Government structure. For instance, both OSHA and Centers for Disease Control have already published guidelines for health care workers who are dealing with AIDS patients. You can go on and on and we do have some speakers here who have this particular subject matter in their particular jurisdiction and who I am sure are going to enlarge upon it. But let me say this on the subject matter as far as our bill is concerned: We went to great lengths in our bill to make sure that the Risk Assessment Board was made up of strictly, exclusively, unquestionably scientific people. When we talk about scientific people or purposes we are talking about occupational health physicians, toxicologists, epidemiologists, we are talking about industrial hygienists, they are all on the board. They are recommended by the National Academy of Sciences which is a non-governmental agency created by Congress way back in Lincoln's time.

So we took this extra precaution and we have this board constructed in such a way that we feel confident under the circumstances that they are going to give priority themselves, as a board, to what the gentleman raises in his amendment and where he places it in our legislation as it is written.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield?

Mr. GAYDOS. Yes, I yield to my friend from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. I thank the gentleman for yielding.

Mr. Chairman, I appreciate that point but could the gentleman explain to me why OSHA has failed to respond to a request from the American Federation of State, County and Municipal Employees that was filed with that agency the early part of this year to do exactly what my amendment is talking about doing? Why has not OSHA done that?

Mr. GAYDOS. I think the record will speak for itself. They have adopted tentative guidelines. I am sure that the gentleman is aware of them.

As to the expediency of the operation of OSHA, their administrative procedures, I cannot answer that at this point on the floor. But the gentleman is now talking about attaching to this bill H.R. 162, a change which the bill is not constructed to accept at this time.

If we accept this change, this specific identification, it is going to set up a series of requests, possibly of other items that might be just as important as this request. It seems that we feel that we have enough inherent, inbred protection in the bill as written to take care of the gentleman's concern.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman continue to yield?

Mr. GAYDOS. I yield to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. I thank the gentleman again for yielding.

Perhaps it has not been brought out, but OSHA does not have jurisdiction over State and local employees. The guidelines that the gentleman is talking about may be applicable to Federal employees but they are not applicable for State and local employees.

And there is a difference between guidelines which are just posted on a wall where employees may look at them, and notification to specific employees. My amendment would direct, as is the subject content of the bill that the gentleman is sponsoring, that employees are the ones that are going to get notification. I do not know who could object to notifying health care workers personally whether county, State, Federal, or whatever, about what precautions they should be taking to protect their own health in dealing with these tragic AIDS victims.

Mr. GAYDOS. Let me respond on my time and say that we have carefully constructed within this legislation a certain procedure to follow by the Risk Assessment Board. That procedure is laid out very clearly in the terms of the act. Following that procedure, I am sure that I am not misreading or misconstruing the bill when I conclude that the gentleman's concerns will be addressed in that bill. He is not giving due consideration to the purpose of our bill, the way it is constructed and the restraints—and we have good restraints within the bill—in setting out these procedures to try to keep this Board professional. We cannot deviate, we do not want to see and I am sure my colleague does not want to see or be part of some type of an emergency action that is going to be detrimental to the overall situation here.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GAYDOS] has again expired.

(By unanimous consent, Mr. GAYDOS was allowed to proceed for 2 additional minutes.)

Mr. DANNEMEYER. Mr. Chairman, will the gentleman from Pennsylvania yield?

Mr. GAYDOS. I yield to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. I thank the gentleman for yielding further.

I do not want to overdramatize this issue, but this Nation is going to lose more men to this disease—deaths from this tragic disease in the next 4 years—than we lost in all of World War II to the category of “killed in action.”

We are looking at health care costs in the tens of billions of dollars per year and I would suggest that we have, if there ever was a description of a health emergency in America, we are in the midst of it and we had better recognize it. And if OSHA does not understand the necessity of issuing these guidelines. I think it is appropriate for we in Congress to nudge them.

Mr. GAYDOS. Let me reclaim my time and respond to my good friend: We are not talking about OSHA when we are talking about this bill. This bill is different from OSHA. I want the gentleman and I hope the gentleman understands that in this bill we have a specific procedure for what we call the nonpolitical highly skilled scientific and medical Risk Assessment Board to identify a population at risk and I have no question or no fear at this time that the Board will not do that immediately upon its establishment. That identification procedure is generic in nature so that the Board can be in a position to make its decisions outside of the pressure of political influence or some unreasonable activity. I do not want to see that Board stymied or directed to do something. That Board is going to take care of the gentleman's concern I am sure.

I think the gentleman is so right in what he is doing, but this is the wrong bill and the wrong place to do it.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GAYDOS] has again expired.

(On request of Mr. FORD of Michigan and by unanimous consent, Mr. GAYDOS was allowed to proceed for 5 additional minutes.)

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield further?

Mr. GAYDOS. I will yield briefly to the gentleman from California [Mr. DANNEMEYER] and then yield to my friend from Michigan.

Mr. DANNEMEYER. I thank the gentleman for yielding.

I appreciate the time.

I can say, to all the reasons that the gentleman has said, that this needs to

be done and the gentleman is right. The gentleman is with me all the way, apparently, up to the vote. I would suggest the logical thing for the gentleman to do is to support the amendment, because it will then establish as a matter of policy, at least in the House of Representatives, that we are telling those people working in the Department of Labor, given the national emergency nature of this epidemic, to get on with this first.

Mr. GAYDOS. I am sure my good friend understands the obligations we have to take care of; under the terms of this bill the primary purpose and point of the bill is to take care of a lot of items along these lines that have already been identified by OSHA, including AIDS and we are doing it in a methodical and scientific manner. I am sure my friend understands this.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GAYDOS. I yield to the chairman of the committee, the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. I thank the gentleman for yielding.

Now while frequently I disagree with the gentleman from California, I would like to have his attention, the gentleman from California [Mr. DANNEMEYER] on this occasion to say that I do not rise to disagree with him but to take the risk that I might be able to mediate a solution to the problem.

What the gentleman wants to do in terms of making a priority of this problem does not cause the objection over here. It is the fact that the way his amendment is worded it bypasses the professional determinations made by the scientists and health care professionals on the board that is appointed under this act.

Now we anticipate there will be at least one other amendment with a specific target population in mind which probably is going to be accepted because that amendment, while designating a target population, merely says that the board shall consider designating that population so that it gets it on the agenda from the “Get-Go” because there are so many other people who want their particular problems to be first.

I would simply like to suggest to the gentleman that he get unanimous consent to amend line 3 of his amendment to read after the word “shall”, “consider for” and change the word “designate” to “designation”, that he would be in tune with the other amendment we would expect and I would then ask for the chairman to accept that kind of an amendment.

Mr. DANNEMEYER. Mr. Chairman, would the gentleman yield?

Mr. GAYDOS. I yield to my friend from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. I thank the gentleman for yielding.

Mr. Chairman, I thank the chairman of the committee, Mr. Ford, for that kind suggestion but considering the emergency nature of the need, this Member is not inclined to accept that amendment because I can also respond that on page 13, subparagraph (c), the bill itself sets up priorities.

And if I may add an additional factor about this whole disease: Let us face it, this is the first time in the history of this country that we are dealing with a politically protected disease. Public health officials in this government are treating it as a civil rights issue, not a public health issue. That is one of the reasons why we in Congress should recognize that and say to them, "In setting priorities, this is the first one you are going to handle" because as I said earlier in my comments, it is a serious problem. We have got health care workers around this country who are, out of a desire to protect their own lives, walking away from their health care responsibilities.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield further to me?

Mr. GAYDOS. I yield to the chairman.

Mr. FORD of Michigan. I thank the gentleman.

The problem we have is not with anything the gentleman is saying. The problem we have is he takes it out of the hands of the professionals and he makes a political judgment here that of all these health problems that they should review as professionals in the field of public health, they should put aside scientific considerations of which target populations you are identifying here and just say, willy nilly, that everybody who has anything to do with health care or emergency services, whether they are at risk or not is a target population, thereby imposing an obligation on all of their employers and imposing an obligation on the Federal Government to start notifying a whole lot of people that the professionals may come to determine are not really in the target that they want to hit. The Risk Assessment Board can zero in on the target that the gentleman wants to reach much better than we can, we politicians can on the floor. I am just asking if you would not consider leaving it to the doctors.

□ 1315

I would like to add this: If you do not wish to equate your sense of priority for this illness with others, what the acceptance of your amendment does is invite everybody who has a particular illness affecting somebody they care about that they would like to prioritize, to come to the Congress and then you would take everything away from the Board and legislate all the things they want designated as target populations.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield?

Mr. FORD of Michigan. We would have to oppose the gentleman's amendment if he persists.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GAYDOS] has expired.

(On request of Mr. DANNEMEYER, and by unanimous consent, Mr. GAYDOS was allowed to proceed for 3 additional minutes.)

Mr. DANNEMEYER. Mr. Chairman, if the gentleman will yield, I want my comments to be directed to the gentleman from Michigan [Mr. Ford] because I think he should hear this.

I have had brought to my attention a case situation that developed in San Francisco's General Hospital that related to and involved Mrs. Watkins, whom I talked about earlier. This nurse was told in her nursing duties that in caring for AIDS patients she could not wear gowns, masks, and gloves because it offended the sensitivity of these AIDS patients to their psychological disestablishment. I find that frankly to be wrong public health policy.

The public health care workers of America should be able to take all the precautions they think are appropriate, and that is one of the reasons for this amendment. We need to stop treating this illness, this epidemic in America, as a civil rights issue and begin to treat it as a public health issue, and when our public health physicians are not discharging their responsibility, then the politicians have to get into the job and begin to give them a little nudge as to what direction they should be pursuing.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield?

Mr. GAYDOS. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman very much for yielding to me.

I do not think there is a dispute that health care workers ought to be informed of the fact that they may be at risk if someone has AIDS that they are caring for. In fact, in legislation that is coming out of our subcommittee which would deal with the questions of testing and the confidentiality of the test information, we would specifically exempt from the confidentiality protections that information to health care workers. It is reasonable to let people know when they are at risk of getting any kind of illness or facing any safety hazard.

I do not fully understand the legislation that has come out of the gentleman's committee, but what I do understand is that you are setting priorities and using a limited number of dollars to try to inform those health care workers and monitor those health care workers who have been exposed to asbestos and other toxic pollutants.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GAYDOS] has again expired.

(On request of Mr. WAXMAN, and by unanimous consent, Mr. GAYDOS was allowed to proceed for 2 additional minutes.)

Mr. WAXMAN. Mr. Chairman, will the gentleman yield further to me?

Mr. GAYDOS. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I will say to the gentleman, if you are trying to target workers who are at risk for exposure to toxic substances or other kinds of dangers in the workplace, I do not know how informing health care workers would fit into the scheme of things. There should be no dispute about informing health care workers. The question with the Dannemeyer amendment would be this, as I read it: The gentleman seems to be bypassing everything else and making this information available to health care workers, whether they are seeing a patient with AIDS or not, just informing all health care workers that if they did have some contact with a person with AIDS, they would be at risk. And I might point out, according to the Centers for Disease Control and the National Institutes of Health, it is a very low risk at that, but nevertheless a real risk of fatal disease, and they should know about it. They should know in terms of a specific case, and they should know about it generally so they can avoid acting in ways that will allow that risk to be even greater than otherwise would be the case.

The Centers for Disease Control urges that health care workers take precautions with all their patients, because it is often hard to know, particularly in an emergency situation, whether a patient may have the virus or not. So they urge that all health care workers wear gloves if they are dealing with blood or any bodily fluids.

So my question to the gentleman as chairman of the subcommittee and as author of this legislation is this: As I understand it, the gentleman is not disagreeing with the proposal that health care workers know about the danger of AIDS and the possible exposure to a patient with AIDS; the gentleman's disagreement is over the scheme of this bill and how this would divert attention from those other areas, is that correct?

Mr. GAYDOS. Mr. Chairman, if I may respond to the gentleman, yes, that is basically correct. If I could reduce it down to a very simple observation, it would be this: Everybody knows that AIDS is a very important concern to this country and is very dangerous.

What I am opposed to, under the amendment as written, is taking the term or the designation, "AIDS,"

when our bill is a generic one, giving to a scientific board the responsibility to not only consider AIDS but consider all hazardous substances, materials, and processes in the workplace. That is what bothers me. I am not against the designation of AIDS, but under these circumstances I have to be against this amendment.

Mr. WAXMAN. Mr. Chairman, it seems to me that this amendment ought to be refashioned in some way because the point of the amendment is to make sure that health care workers understand they may be exposed to some danger under some circumstances, that there is a risk, a low one, but nevertheless a real one, and they should be informed of it and it is something that could fit within the priorities of the bill. I would propose that the committee look at changes in the Dannemeyer amendment and make appropriate changes so that those of us who would support the proposition that health care workers should be informed could support the amendment.

The CHAIRMAN. The time of the gentleman from Pennsylvania. [Mr. GAYDOS] has again expired.

(By unanimous consent, Mr. GAYDOS was allowed to proceed for 1 additional minute.)

Mr. GAYDOS. Mr. Chairman, I just want to make the observation at this time that even under the terms of the amendment there is repetition and redundancy in there, because it refers to what is already in the bill to follow this procedure. So basically, stripped down to its very essentials, what the amendment calls for is to set AIDS in as an item designated and inserted in the bill when we are talking about everything in the bill being generic and giving that responsibility of picking one or the other or both to a scientific board, called a risk assessment board, which has many safeguarding guidelines.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield further?

Mr. GAYDOS. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, what the gentleman is saying is that he is not disputing that health care workers should know of their risk, but he is questioning whether we should bypass all the other risks which many workers may not know of and deem this to be the worst problem, and thus all the millions of health care workers, most of whom are at low risk of HIV, will be notified before any workers are notified of a high risk such as asbestos where they are in fact at real risk, is that correct?

Mr. GAYDOS. Basically, in essence, that is exactly what I am trying to say, and I congratulate the gentleman for stating it so eloquently for me.

Mr. ARMEY. Mr. Chairman, I move to strike the requisite number of

words, and I rise in support of the amendment.

Mr. Chairman, I want to commend the gentleman from California [Mr. DANNEMEYER] for having the foresight to bring forth this amendment to the bill. The gentleman from California [Mr. DANNEMEYER] and I have talked about this before, and I think he is absolutely right.

I would like to reflect back for a moment to the debate of yesterday. Yesterday, as we debated between the Jeffords-Henry substitute and the bill, H.R. 162, we saw clearly that the difference between the substitute and the bill brought forth was whether or not we would focus on prevention now and in the future, reduction of hazard now and in the future, or whether or not we would focus on notification of possible past exposures to hazards that would be retroactive to as much as 40 years.

Now, that is a fundamental question. Is this legislation designed for notification of possible exposure to hazard in the past, and, therefore, setting the premise for lawsuits, or are we and should we not in fact be concerned with prevention, removal, and reduction of hazards today and in the future? And then, in addition to that, the amendment offered by the gentleman from California [Mr. DANNEMEYER] brings into focus the question of priorities. Certainly we cannot understand, except to define and anticipate and identify, every possible hazard, and, therefore, we must set priorities, although I must say that this bill has certainly been written generically enough or comprehensively enough to leave very little opportunity for us to miss the identification of a hazard that could result in a lawsuit, and to be of that much significance so that the persons notified might feel themselves so much at risk, so anguished by the notification itself that they may need to bring the lawsuit.

Now, what the gentleman from California [Mr. DANNEMEYER] says in his amendment is, let us establish a priority. And it is already established for us. It is absolutely clearly understood that the No. 1 health problem facing America today is the threat of AIDS. We are already in fear of risk comprehensively to the point where parents rightly have a concern about youngsters going to school after having been subjected to the virus, and these are terribly anguishing problems affecting families, workers, and matters of conscience for people in the health care industry who are sworn to provide health care service to needy patients. In regard to their own health and that of their families, they are going through the anguish of conscience, deciding, "Should I or should I not?" and then in deference to their own health and that of their families, when they try to protect themselves, they lose

their jobs or are otherwise reprimanded or punished.

So the gentleman from California [Mr. DANNEMEYER] has correctly focused on the issue here. Why is it on this bill? Because this bill has afforded us an opportunity in this Congress to make a determination. Will the Congress of the United States of America recognize AIDS as a risk for the Nation, that is, a high priority risk that should be recognized and identified as a matter of public health, not a matter of civil rights? That is the essential question that is posed to us in this amendment.

I must say to the gentleman from California [Mr. DANNEMEYER] that I was distressed that after the gentleman from Michigan [Mr. FORD] asked for and got his attention while he made his point in rebuttal to the gentleman's comments, when he in turn asked for the gentleman's attention in making that essential point that he made, he was so busy in conversation with his back turned to the gentleman that he could not give the gentleman his attention.

So for that reason I would like to ask for the attention of the gentleman from Michigan [Mr. FORD] so that he could understand the point the gentleman made, the point that needs to be made.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ARMEY] has expired.

(By unanimous consent, Mr. ARMEY was allowed to proceed for 1 additional minute.)

Mr. ARMEY. Mr. Chairman, I say to the gentleman from California [Mr. DANNEMEYER] and the gentleman from Michigan [Mr. FORD] that the point the gentleman was making, the point that was at contention and the point this body must address on this amendment, is this essential point: Will this Congress understand that AIDS is the essential health problem facing this Nation, address that problem as a problem concerning the Nation's health, or will we continue to divert and allow others to default on their responsibility to control this epidemic by treating it as if it were what it is not, a civil rights issue?

Mr. Chairman, I applaud the gentleman for bringing this amendment to the floor. I applaud him for focusing the debate on this issue. I applaud the gentleman for giving this legislation that is proposed at this point some possibility of doing something that is necessary and beneficial for the American people, and I want to encourage my colleagues to vote yes on the Dannemeyer amendment.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I attempted to effect a change in the language proposed by

the gentleman so that it would not do violence to the purpose of this legislation. He chooses to ignore that and say, "All or nothing."

The proposition we have before us in its present form is that we forget every other kind of threat to health, put them all on the shelf, and the very first thing we do is notify the millions of people who are in the health providers' profession that they may be at risk. They might be in a clinic at the foot of a ski slope that specializes in broken ankles and broken knees, but their employers are going to have to notify them, too, because the definition he has for these people is so broad.

Now, we have \$25 million authorized in this bill, which means that we will get appropriated something less than that. And that means that there will not be one penny left to deal with any of the cancer-causing problems that are out there, the problems with asbestos and other things that we know are costing us thousands of lives a year.

□ 1330

People dying with AIDS are a terrible tragedy, but they are not the only health tragedy in this country. What the amendment does by sucking up in advance of any determination by the professionals all of the resources for one problem that the gentleman is overwhelmingly concerned about is to turn your back in terms of assets and resources to do anything about all of the others.

I have never considered myself to be particularly threatened individually, so I have some difficulty understanding the intensity of some with regard to this matter when things like cancer do kill a lot of my friends, and things I see in my industrial area that are killing and crippling people; and I cannot look them in the eye and say that AIDS victims have any more right to our attention.

We have already appropriated hundreds of millions of dollars addressed to this particular disease. I have supported that, and I do not object to it; but we do not have to have AIDS superimpose itself on every attempt to protect public health in this country, and that is what this amendment does.

Mr. WAXMAN. Mr. Chairman, I move to strike the requisite number of words.

This debate has left me a bit perplexed, because it seems to me there is a legitimate issue here of informing health care workers about an exposure to a risk. This legislation is about people in high-risk professions.

As the gentleman from Michigan [Mr. Ford] pointed out, the gentleman was fearful that this particular amendment, which would accomplish informing people in the health care field that they may be at risk, would

siphon the resources from other needed areas in this bill.

I would hope the committee could work out some compromise on this. I think the Dannemeyer amendment has merit to it insofar as it lets health care workers know they may be exposed to a risk, but it should not be viewed as placing AIDS as a higher risk than any other risk.

That is just not the case, not the reality. AIDS is a serious national problem, and I resent the point that it is treated as a civil rights question. It is a health question.

We ought to try to contain this disease, since we do not have a cure or a vaccine to stop its spread. We have to contain it, and there is a slight risk for health care workers.

The real transmission is going to be through sexual contact. That is where we need to educate the public. Insofar as there is a risk to health care workers, they should be informed; and I would hope that the committee would find it in their scheme of things to have that done.

I do not think it has to be done, however, to siphon all the money away from people who need to be monitored continuously for asbestos and other hazardous exposure.

Mr. GAYDOS. Mr. Chairman, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Chairman, I thank the gentleman for yielding.

I think the gentleman from California makes a sensible and salient point.

I would ask the gentleman, through his agents and employees, if it had changed the word from "designate" to "consider," it would have given the emphasis?

Everybody knows about AIDS in this country. I asked for that distinction. It was not done, and the observations that the gentleman makes are so much on point.

We cannot destroy the purpose of this bill of identifying and notifying, just because we have one very, very important concern in this country. I am not about to dispute that.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from California.

Mr. DANNEMEYER. Mr. Chairman, I thank the gentleman for yielding.

On the very point that the chairman has mentioned about changing "direct" to "consider" and the reason that this Member is unwilling to accept that suggestion is very simple.

OSHA has not responded to the request of the American Federation of State, County and Municipal Employees to do just that.

They have had the request there since the first of the year, and OSHA has not done it.

Mr. WAXMAN. Mr. Chairman, reclaiming my time, OSHA is meeting this very day to consider how exactly to spell out the guidelines that are going to be necessary.

Mr. GAYDOS. Mr. Chairman, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Chairman, I thank the gentleman for yielding to me again.

That is the reason why we have this legislation, because OSHA is not doing its job in certain areas.

If I may again emphasize to the gentleman from California, this is not OSHA. This is an adjunct to OSHA. It is a supplement to it, so if the gentleman has any problems with OSHA, I suggest the gentleman direct his criticisms to OSHA directly.

Mr. WAXMAN. If I might reclaim my time and speak to the gentleman from Pennsylvania [Mr. GAYDOS], the manager of this bill, if this amendment passed, the gentleman would want to straighten out those issues so it works, so it fits into the whole scheme of things; but as I understand what the gentleman is saying, the gentleman does not object to health care workers being notified that they may be at risk of AIDS exposure?

Mr. GAYDOS. Absolutely not.

Mr. WAXMAN. Why would the gentleman not take this amendment that is being represented to the Members as accomplishing informing health care workers of that fact, and figure out some other way to make it all fit together?

Mr. GAYDOS. That may be done in conference when we hammer out this bill in the final form.

That is a possibility, but now it would actually destroy the format of the bill and the way it is aligned at this time.

It would be very devastating to the bill per se.

Every Member recognizes, and the argument was made very effectively by the gentleman from Michigan, this \$25 million, a limiting authorization for 5 years, \$25 million, the whole bill will be destroyed.

Mr. WAXMAN. Mr. Chairman, reclaiming my time, is the gentleman saying the gentleman does not wish to offer an amendment to this amendment?

Mr. GAYDOS. That is correct; no, I do not.

Mr. WAXMAN. The gentleman wants the Members to vote against the amendment?

Mr. GAYDOS. The committee would request and appreciate that type of support, and vote "no" against the amendment.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California. This is not the place to attach an amendment such as this one.

We all know that certain workers may be more susceptible to exposure to the AIDS virus than the general population. There are, however, other vehicles which would be more appropriate for the discussion of such an amendment. One such bill is H.R. 3071, the voluntary AIDS testing and counseling bill introduced by Mr. WAXMAN and cosponsored by myself and many other Members of this body.

The bill before us includes a specific procedure for the assessment of risks to employees. The Assessment Review Board is charged with identifying these risks. I think we should allow them the opportunity to make such determinations. The legislation before us does not mention any specific diseases. I think it would be a mistake to include a specific disease. This bill attempts to do in a haphazard approach what H.R. 3071 does in a much more rational and thoughtful approach. I, therefore, urge my colleagues to vote against this amendment.

Mr. ECKART. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is significant to note that meaningful legislative initiatives in pursuit of notification of emergency health care workers are moving through this House.

In fact, the gentleman from California has joined me and the gentleman from Maryland in introducing legislation which would provide for an important notification, education and, where necessary, inoculation program for emergency medical personnel.

One of the significant deficiencies in this amendment which I have discussed with the major police organizations is that if a police officer was the first person to arrive at the scene at which a victim was later discovered to have AIDS, that police officer would not be able to receive the notification.

Second point. Legislation that I have introduced, H.R. 3418, provides \$27 million a year to implement an AIDS and contagious disease notification program, whereas this entire bill appropriates \$25 million to cover dozens of diseases.

This single amendment has the effect of wiping out everything else that this initiative proposes.

Another thing that this amendment conveniently leaves out that my AIDS notification bill covers is, not a single dime goes to local government, whereas my bill provides for \$10 million to help develop regimens, so that local safety personnel do not contract the diseases to begin with.

Of even more fundamental concern is that H.R. 3418 provides for an education program to teach health care

workers how not to get in the circumstances to contract the disease to begin with.

The amendment being offered by the gentleman from California sounds extremely attractive, but I can assure the Members that the Members will find police organizations adamantly opposed to it. Second, it would defund the entire bill, so it is a sneaky way to gut the whole program before the House. And third, of greater significance, it does not set up a mechanism whereby those individuals who transported or treated a victim who was later found to have AIDS or hepatitis are so informed.

The single largest growing disease in the United States is not AIDS. There are more cases of hepatitis or pulmonary tuberculosis. It is hepatitis which is killing our emergency medical personnel. Yet this amendment does not have a thing to do with it.

We addressed this in the Eckart-Waxman-Hoyer legislation and authorized \$27 million a year. That bill is scheduled for a markup in the Committee on Energy and Commerce very soon. But to put in a backdoor amendment that offers the illusion of protection for health care workers when it strips from them the basic right to find out what is on the record; which does not give local government dollars to develop the programs; which creates no program of education and curriculum development to prevent the health care workers from getting into circumstances in which they will contract the disease, is absolutely fatally flawed.

This amendment is not the program that is endorsed by the national police, fire, and emergency health care people.

Their support is targeted on H.R. 3418. This amendment is an attempt, I think, to frighten the Congress. This is an attempt to hold out illusory hope to health care workers; but more fundamentally, it is a political attempt to strip and ruin the piece of legislation before the Members.

Let us not fail to remember that the key to prevention of contracting AIDS or hepatitis is not to be exposed to the disease to begin with, and that is why an education regimen is so important, and that is why money given to local emergency medical personnel directly to purchase one-way masks, for gowns and gloves and other protocols is the answer to protecting them.

We have to help those who help protect us. By developing a program of inoculation, my bill will provide grants to States to get firefighters, paramedics, and police officers inoculated to prevent them from contracting hepatitis, not after the fact.

Let us understand what this amendment is about. If the Members want to protect health care workers, the real

answer is to vote "no" on the amendment and to support H.R. 3418.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DANNEMEYER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DANNEMEYER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 198, not voting 16, as follows:

[Roll No. 358]

AYES—219

| | | |
|--------------|----------------|----------------|
| Andrews | Grandy | Nelson |
| Applegate | Gregg | Nielson |
| Archer | Gunderson | Oxley |
| Armey | Hall (TX) | Packard |
| AuCoin | Hammerschmidt | Parris |
| Baker | Hansen | Pashayan |
| Ballenger | Harris | Petri |
| Bartlett | Hastert | Porter |
| Barton | Hayes (LA) | Pursell |
| Bateman | Hefley | Ravenel |
| Bennett | Henry | Ray |
| Bentley | Herger | Regula |
| Bereuter | Hiler | Rhodes |
| Bilirakis | Holloway | Richardson |
| Boehert | Hopkins | Ridge |
| Boucher | Horton | Rinaldo |
| Boulter | Houghton | Ritter |
| Broomfield | Hubbard | Roberts |
| Brown (CO) | Huckaby | Robinson |
| Bryant | Hughes | Rogers |
| Buechner | Hunter | Roth |
| Bunning | Hutto | Roukema |
| Burton | Hyde | Rowland (CT) |
| Callahan | Inhofe | Russo |
| Chandler | Ireland | Saiki |
| Chapman | Jacobs | Saxton |
| Cheney | Johnson (CT) | Schaefer |
| Clinger | Kaptur | Schneider |
| Coats | Kasich | Schuette |
| Coble | Kastenmeier | Schulze |
| Coleman (MO) | Kolbe | Sensenbrenner |
| Collins | Konnyu | Sharp |
| Combest | Kyl | Shaw |
| Conte | Lagomarsino | Shumway |
| Coughlin | Lancaster | Shuster |
| Courter | Latta | Sisisky |
| Craig | Leach (IA) | Skeen |
| Crane | Leath (TX) | Slattery |
| Daniel | Lent | Slaughter (VA) |
| Dannemeyer | Lewis (CA) | Smith (NE) |
| Daub | Lewis (FL) | Smith (NJ) |
| Davis (MI) | Lightfoot | Smith (TX) |
| DeLay | Lipinski | Smith, Denny |
| Derrick | Lloyd | (OR) |
| DeWine | Lott | Smith, Robert |
| Dickinson | Lowery (CA) | (NH) |
| DioGuardi | Lujan | Smith, Robert |
| Dornan (CA) | Lukens, Donald | (OR) |
| Dowdy | Lungren | Snowe |
| Dreier | Mack | Solomon |
| Duncan | Madigan | Spence |
| Durbin | Marlenee | Stallings |
| Dyson | Martin (IL) | Stangeland |
| Emerson | Martin (NY) | Stenholm |
| English | Mazzoli | Stratton |
| Erdreich | McCandless | Stump |
| Fawell | McCloskey | Sundquist |
| Fields | McCollum | Sweeney |
| Fish | McCurdy | Swindall |
| Flippo | McEwen | Tallon |
| Frenzel | McGrath | Tauke |
| Frost | McMillan (NC) | Taylor |
| Galleghy | Meyers | Thomas (CA) |
| Gallo | Michel | Upton |
| Gekas | Miller (OH) | Valentine |
| Gibbons | Miller (WA) | Vander Jagt |
| Gilman | Molinar | Volkmer |
| Gingrich | Montgomery | Vucanovich |
| Glickman | Moorhead | Walker |
| Goodling | Morrison (WA) | Watkins |
| Gradison | Myers | Weber |

Weldon
Whittaker
Whitten

Wilson
Wolf
Wortley

Wylie
Young (AK)
Young (FL)

NOES—198

Ackerman
Akaka
Alexander
Anderson
Annunzio
Anthony
Aspin
Atkins
Barnard
Bates
Beilenson
Berman
Bilbray
Boland
Bonior
Bonker
Borski
Bosco
Boxer
Brennan
Brooks
Brown (CA)
Bruce
Bustamante
Byron
Campbell
Cardin
Carper
Carr
Chappell
Clarke
Clay
Coelho
Coleman (TX)
Conyers
Cooper
Coyne
Crockett
Darden
Davis (IL)
de la Garza
DePazio
Dellums
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Downey
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Espy
Evans
Fascell
Fazio
Feighan
Flake
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank

Garcia
Gaydos
Gejdenson
Gonzalez
Gordon
Grant
Gray (IL)
Gray (PA)
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hawkins
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Howard
Hoyer
Jeffords
Jenkins
Johnson (SD)
Jones (NC)
Jones (TN)
Jontz
Kanjorski
Kennedy
Kennelly
Kildee
Klecza
Klotter
Kostmayer
LaFalce
Lantos
Lehman (CA)
Lehman (FL)
Leland
Levin (MI)
Levine (CA)
Lewis (GA)
Lowry (WA)
Lukens, Thomas
MacKay
Manton
Markley
Martinez
Matsui
Mavroules
McDade
McHugh
McMillen (MD)
Mfume
Mica
Miller (CA)
Mineta
Moakley
Mollohan
Moody
Morella
Morrison (CT)
Mrazek
Murphy
Murtha
Nagle
Natcher

Neal
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Panetta
Patterson
Pease
Pelosi
Penny
Perkins
Pickett
Pickle
Price (IL)
Price (NC)
Rahall
Rangel
Rodino
Roe
Rose
Rostenkowski
Rowland (GA)
Roybal
Sabo
Savage
Sawyer
Schroeder
Schumer
Shays
Sikorski
Skaggs
Skelton
Slaughter (NY)
Smith (FL)
Smith (IA)
Solarz
Spratt
St Germain
Staggers
Stark
Stokes
Studds
Swift
Synar
Thomas (GA)
Torres
Torricelli
Towns
Traficant
Udall
Vento
Visclosky
Walgren
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—16

Badham
Bevill
Biaggi
Bliley
Boggs
Edwards (OK)

Gephardt
Kemp
Livingston
Nichols
Pepper
Quillen

Roemer
Scheuer
Tausin
Traxler

□ 1400

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. Scheuer against.
Messrs. GRANT, GORDON, RAHALL, and MFUME, changed their votes from "aye" to "no."

Mr. DONALD E. LUKENS, Mr. GIBBONS, Mrs. ROUKEMA, and Messrs. DOWDY of Mississippi, CHAPMAN,

and FLIPPO changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. COLLINS. Mr. Chairman, on rollcall vote No. 358, I, by mistake voted "aye." I intended to vote "no."

AMENDMENT OFFERED BY MR. JEFFORDS

Mr. JEFFORDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JEFFORDS: Page 13, line 1, insert "(1)" after "(c) PRIORITIES." and after line 13, insert the following new paragraph:

(2) For purposes of paragraph (1), the Board shall consider individuals who have been exposed to dioxin as members of employee populations most likely to benefit from medical monitoring, or health counseling, or both.

Mr. JEFFORDS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. JEFFORDS. Mr. Chairman, I will be brief because I believe this amendment will be accepted. I have listened to the admonishment of the chairman and certainly agree with him that we should be careful about mandating anything in this bill. Thus, I have reduced my original amendment, which deals with the problems of notification with respect to the use of dioxin, to read that the Board should give priority to considering notification of individuals who have been exposed or may be exposed to dioxin.

I would not have brought this up except that there have been concerns as to whether the Federal Government is doing all that can be done to find the answers to the problems arising from exposure to dioxin. I also point out that here we are involved to a large extent with Federal employees—specifically with Vietnam veterans.

My amendment requires the Risk Assessment Board to give priority consideration to dioxin, a known cancer-causing chemical. Thousands of American soldiers are believed to have been exposed to dioxin-based agent orange while serving in Vietnam. Under the provisions of this bill, if those exposed to dioxin are indeed determined to be at risk, they would not only be notified of that risk but provided medical monitoring and counseling.

In 1979, Congress required the Veterans' Administration to conduct independent studies to determine whether servicemen and women have been placed at risk because of exposure to agent orange while serving in Vietnam. Last month, Centers for Disease

Control [CDC], which was conducting the study for the VA, announced that it could not continue the probe because not enough soldiers exposed to agent orange could be located.

At the same time, however, a separate Veterans' Administration study indicated that Vietnam veterans have a significantly higher risk of contracting certain types of cancers—cancers that have been associated with dioxin exposure.

My amendment will ensure that the Risk Assessment Board gives priority consideration to the one group of Americans who we know have had on-the-job exposure to hazardous substances. Under the medical monitoring provisions of the bill, the Federal Government will be required to provide medical monitoring for veterans exposed to agent orange if the Risk Assessment Board determines that exposure to dioxin constitutes such a risk. Medical monitoring will provide researchers with additional information necessary to assess the damage done by agent orange exposure.

I have joined with several colleagues in introducing legislation that will ensure that veterans exposed to agent orange will get proper medical treatment from the VA for illnesses due to the exposure. Pending House consideration of our bill, I am hopeful that my amendment will bring us one step closer to the day when this country recognizes its obligations to veterans exposed to agent orange.

I urge Members to support this amendment to give priority consideration to notification of exposure to dioxin under the provisions of this bill.

Mr. GAYDOS. Mr. Chairman, will the gentleman yield?

Mr. JEFFORDS. I yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Chairman, I appreciate the gentleman's discussion on this amendment. We did go into detail with it and I am sure that the very able gentleman from Vermont [Mr. JEFFORDS] joins me when I say that this bill places a definite responsibility for identifying hazardous substances or processes on the scientific expertise of a Risk Assessment Board which is in the bill. The Board must make its determination based on the very strict scientific criteria contained in the bill.

I had at one time serious reservations about this group as a whole intruding upon our scientific expertise and objectivity which we have built into the Board. I really sincerely believe that the Board should decide these matters from that approach, but I believe that the gentleman's amendment is most meritorious and I do urge support with the express understanding that dioxin is to be considered by the Board based on the same accepted scientific principles as the other substances provided for in the bill.

Mr. JEFFORDS. That is correct, only that they ought to give priority to putting it somewhere up toward the top of the list of things that they will consider.

Mr. GAYDOS. Mr. Chairman, I want to commend my friend, if he will continue to yield, who has served on the committee, and I mean this very sincerely, I appreciate his intense interest in this aspect of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. JEFFORDS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROSE

Mr. ROSE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROSE: On page 32, after line 2, insert the following new paragraph:

(5) Provisions for medical removal protection under this subsection shall not apply to any seasonal agricultural worker employed by an employer for less than 6 months of continuous employment.

Mr. ROSE. Mr. Chairman, today, I am offering an amendment to the medical removal provision of H.R. 162, in order to exempt seasonal agricultural workers who have been employed less than 6 months.

The medical removal provision currently provides that a notified worker can be medically removed from a position where the worker is exposed to substances which may be hazardous after consultation between the employer's doctor and the employee's doctor. This provision provides further that the worker would be temporarily or permanently transferred to another job, without loss of earnings, seniority, or other benefits. If another suitable employment position is not available the employer must continue salary and benefits for 12 months, as reduced by whatever compensation is received from other sources, such as unemployment compensation, disability benefits, and workers compensation.

The reasons for exempting seasonal agricultural workers from this provision are fairly obvious. All seasonal agricultural workers are hired for a specific purpose and period of time, and my amendment recognizes that fact. If the worker has only been hired to help with the harvest, there must not be other employment opportunities available. Further, if the worker is hired for less than a 6-month period to help with the harvest, the job is by its nature temporary, and the other compensation provisions of this legislation would require a farmer to compensate someone for a longer period of time than he or she was actually hired.

Finally, the Environmental Protection Agency is already monitoring the risks to agricultural employees and has the ability to take whatever action is necessary to remove workers from hazardous areas, as well as make sure

that hazardous chemicals are not utilized in the first place.

Without my amendment, this legislation would require farmers to create jobs with money they don't have in order to meet the dictates of this provision. In addition, farmers are already subject to a great number of uncertainties associated with the production of their crops. Further uncertainty with respect to harvesting crops can only lead to unwarranted disruption in the sale and marketing of foodstuffs.

I urge you to support my amendment to address concerns that we in the agricultural community have with respect to the medical removal provisions of this bill. Our desire is not to weaken these provisions, but rather to be cognizant of the special circumstances in the area of agricultural employment.

Mr. HENRY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have agreed to accept this amendment. We do so in trying to reach comity and continue to move forward on this bill. At the same time I want to make very clear that our acceptance of the amendment is because it certainly does not create any problems. We are on this side not at all convinced that it resolves all the problems. For that purpose I wanted to read a little colloquy, or make a few points for the purposes of the record.

This amendment does, indeed, ease the burden on H.R. 162 in one area, and that is the medical removal provisions of the bill. It does nothing more.

We simply want that to be made clear.

Agricultural employees, no matter how long ago their exposure occurred, and no matter whether they are seasonal or full time, will still be notified by the Federal Government on an individual basis. Employers are still responsible for the cost of medical monitoring under this amendment even if the employee has only worked for them for a short time. Employers are still going to be the target of countless new claims, the vast majority of which will be unfounded, from workers' compensation or tort claims aspects. This amendment does not enjoy the support of the American Farm Bureau, nor that of the National Council of Agricultural Employees.

The amendment does nothing to make the bill workable.

We do want to indicate that we are supporting the amendment because we think it does make a modest improvement but I do want to point out and I read from a communication from the American Farm Bureau Federation in regard to this amendment:

We also understand an amendment may be offered to exempt seasonal workers from the medical transfer requirement of the bill. Such an amendment would further reduce the number of agricultural employers who would be obligated to make the job transfers but would still leave agricultural em-

ployers with the threat of greatly increased liability, increased recordkeeping, and the other objectionable features of the bill.

We would urge every friend of farmers in the House to vote against H.R. 162.

So as I have stated, Mr. Chairman, our side has no difficulty or objection to the amendment. Indeed, we will support the amendment, but we do want to make perfectly clear for the record that the amendment in and of itself does not satisfy the stipulated concerns of both the National Council on Agricultural Employers or the American Farm Bureau.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. ROSE].

The amendment was agreed to.

□ 1415

AMENDMENT OFFERED BY MRS. BYRON

Mrs. BYRON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BYRON: Page 29, strike out line 4 and insert the following (and indent lines 5 through 13 accordingly):

(b) DISCRIMINATION PROHIBITED.—

(1) No employer or

Page 29, after line 13, insert the following:

(2) An employer with 15 or fewer employees may transfer an employee who is or has been a member of a population at risk to another job without violating this subsection so long as the new job has earnings, seniority, and other employment rights and benefits as comparable as practicable to the job from which the employee has been removed. In providing such alternative job assignment, the employer shall not violate the terms of any applicable collective bargaining agreement.

Page 32, after line 2, insert the following:

(5) An employer is not required to provide medical removal protection for employees if the employer—

(A) has 15 or fewer full-time employees at the time medical removal protection is requested, and

(B) has made or is in the process of making a reasonable good faith effort to eliminate the occupational health hazard that is the basis for the medical removal decision.

Mrs. BYRON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

Mrs. BYRON. Mr. Chairman, I would like to offer an amendment to H.R. 162 which would exempt businesses with 15 and fewer employees from the medical removal provision of the bill, if the company has made a good faith effort to prevent occupational exposure.

As you know, as it now stands, the bill would require employers to give up to 12 months pay and benefits to employees who must be removed from a job when a transfer cannot be ar-

ranged, regardless of the number of jobs that an employer is able to provide.

My amendment is supported by Mr. GAYDOS and the Education and Labor Subcommittee on Health and Safety. It has also received support from members of the Small Business Committee.

While I feel that businesses should be responsible for meeting the health needs of their employees through proper notification and medical removal procedures, I do not feel that this should serve to overly threaten the productivity and competitiveness of small businesses.

I do not think that it is feasible to expect a business of 15 and fewer employees to be able to transfer an employee to another position comparable in pay and benefits.

Medical removal is the procedure by which an employer moves a worker notified of risk of disease from a position in which he is exposed to hazardous substances. This would take place after consultation between the worker's physician and the employer's medical representative. A worker would then be permanently or temporarily transferred to another job, without loss of benefits or decrease in salary.

If an alternate position is not available, the employer must still continue salary and benefits for 12 months—less any other sources of income received by the employee such as worker's compensation or disability benefits.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mrs. BYRON. I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Chairman, I plan to support her amendment and believe that it in no way diminishes either my opposition or the opposition of most who would oppose the bill, but the gentlewoman has demonstrated extraordinary leadership on those issues as well as on small business issues and she has correctly identified the one single area of small business that could be exempted. As we discussed yesterday, there are a number of other areas but this is one that is an improvement in the bill and I commend the gentlewoman for her leadership on this issue.

Mrs. BYRON. I thank the gentleman.

Let me talk a little bit about the medical removal procedure which is an issue whereby an employee moves a worker's notification of risk of disease from a position in which he is exposed to a hazardous substance, this would take place after consultation between the worker's physician and a medical representative of the employer. A worker would then be permanently or temporarily transferred to another job without loss of benefit or decrease in

salary. If an alternate position is not available, the employer must still continue salary and benefits for a 12-month period less any other source of income received by the employee such as workers' compensation or disability benefits.

I think one of the things that we are very concerned about in this day and age is our small business, which is really the backbone of our country. When we talk about the small businessman who is forced by law to comply with many of the Federal regulations, very often we are putting them in a tenuous position because of the cost of enforcing these laws.

Therefore, I urge support of my amendment.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. DE LAY TO THE
AMENDMENT OFFERED BY MRS. BYRON

Mr. DELAY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DELAY to the amendment offered by Mrs. BYRON: In the matter proposed to be inserted by the gentlewoman from Maryland, strike out "15 or fewer" each place it appears and insert "50 or fewer".

Mr. DELAY. Mr. Chairman and my colleagues, I think the work done by the gentlewoman from Maryland is exemplary in pointing out the problems that small business would have with the medical removal portion of this bill. I tried and only got a minute yesterday to point out how this could affect the small business that does not have an extra position to provide someone at equal pay and equal seniority. It also does not have the wherewithal to provide a full 12 months of pay to accommodate this particular employee.

Now what we have is the situation, my colleagues, that says, in the gentlewoman's amendment, the gentlewoman from Maryland, where she wants to exempt only the medical removal portion of this bill. Nowhere else would the bill be exempted for those companies that have 15 employees or fewer but only the medical removal portion of the bill.

The gentlewoman proposes 15. Well, I can understand her point, but I also understand that for instance in my own situation I have a company of 16 employees. Does that mean that since I do not have another position at equal pay or seniority or I do not have the wherewithal to provide a full 12 months' pay, then I have to comply with the medical removal portion of this bill? I think in my amendment I put 50 or fewer as an exemption threshold because I feel those companies that have 50 employees are more likely to have the extra position or the wherewithal to come up with 12 months' full pay.

So what I am offering here today, and I am told is acceptable by the gentlewoman from Maryland, is to propose an exemption of 50 or fewer to just the medical removal portion of the bill.

Mrs. BYRON. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I yield to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. I thank the gentleman for yielding.

Let me say that I feel the amendment offered by the gentleman is constructive and it further addresses the concern of small business and the gentleman's proposal is an interesting one.

Let me talk about why I chose the number 15 as a number, because it is a number that has been used in previous small business exemptions, such as article 7 of the Civil Rights Act of 1964 and some existing OSHA regulations. A similar provision is in the counterpart legislation being considered in the other body where they cut off the number at 10. I think 15 in my estimation was a comfortable compromise but at the same time I would like to say that I came up with 15 as a number for those specific reasons.

I would like to clarify, however, that the threshold for the exemption of the medical removal provision in the bill is the only area that will be affected by the gentleman's amendment to my amendment or his substitute to my amendment. Is that correct?

Mr. DELAY. The gentlewoman from Maryland is absolutely correct, it only affects the medical removal portion of the bill. She most rightly picked 15 but I am saying in the practical business world a company of 15 or fewer employees is usually a company that does not bring in more than \$1 to \$2 million in gross sales. You are talking about just one of these employees receiving, if it is a million, in my case, for instance, and we are running at about 6 percent profit, that 6 percent profit is \$60,000 and one employee can cut half of that profit by me having to pay that employee 12 months' pay. Most of my employees, I think the lowest paid of my employees is about \$30,000 a year.

So if I had to pay that employee \$30,000, that would cut my profit in half. I do not have another position that I could give them other than to sit behind the desk all day long. I might as well get rid of them and pay the 12 months' full pay. I do not have another position of seniority. But a company that has 50 or more, I think is a company that is running a payroll of more than \$1 million a year and that company certainly is not going to suffer as much as a small mom and pop operation like a dry cleaners or some little small company. They can

probably afford this particular medical removal program.

Mrs. BYRON. If the gentleman will continue to yield, I think one of the most difficult things that we have on this floor is to make a cutoff number, 15, 25, 50.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DELAY] has expired.

(By unanimous consent, Mr. DELAY was allowed to proceed for 2 additional minutes.)

Mr. DELAY. I yield further to the gentleman from Maryland.

Mrs. BYRON. I thank the gentleman.

Mr. Chairman, it is my feeling that 50 in this day and age is not an unreasonable number. I started out with 15 because there was precedent for it. It is up to the chairman, but I have no objection from my position as to the 50.

Mr. GAYDOS. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I yield to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. GAYDOS].

Mr. GAYDOS. I thank my friend for yielding.

Mr. Chairman, at the beginning I was unequivocally opposed to increasing it over 15. We thought that 15, although it was an arbitrary figure, we thought it was fair under all the circumstances that employers having employees up to 15 could absorb, we thought, any kind of a change. But we have analyzed it since then and we have again broadened our scope of inquiry. We have been informed that there are some situations where the 15 mark would be fundamentally inequitable, that we should go to 20. Then we came to a second compromise, not 100, not 75, but we thought 50, after analyzing all the facets, all the different places of employment, the possibilities where it could exist, we thought 50 would be eminently fair.

So at this point I very reluctantly would have the committee accept and I accept on behalf of the committee an amendment to the amendment stating the number 50 employees instead of 15.

Mr. DELAY. This gentleman is very proud of the chairman and his compromising attitude. He is being more than fair. I appreciate his attitude and the ability to work with us.

Mrs. BYRON. I thank the chairman for his graciousness.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words and I rise in very strong opposition to the amendment.

If this is accepted it will certainly be something that will mandate my opposition and a vote of "no" to the bill itself. I think that in our part of the country that we are talking about it is exempting over 65 percent of the small businesses who in this case

would be exempted from any kind of liability for their responsibility and care for their workers who work loyally and faithfully for them. And in our part of the country, that kind of business in the main would have the submarginally employed, usually minority members.

What this means is that we are sanctifying in the name of small business a practice that callously disregards a responsibility that each, if it were a one or two employee business, ought to be there from a moral standpoint. I think it is absurd for us to say that we are attempting to debate the successful consideration of a measure that will, at long last, recognize the degree of responsibility for the health and well-being of those American workers who by the very nature of their exposure to the work they are employed in endanger their very life.

How can we place this kind of an exemption in any kind of meaningful legislation that gives rise for the consideration of it in this House of Representatives? I vigorously oppose the amendment to the amendment.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Is the gentleman aware this is only the medical removal portion? It does not exempt anybody from anything, any other provision in the bill? Only the medical removal portion that says that if an employee requests a transfer you have to give them a like job at like pay and seniority or give them 12 months' full pay and terminate their employment.

□ 1430

The rest of the bill stays intact.

Mr. GONZALEZ. Well, I believe the essential detriment to the thrust of this legislation is there even with this partial or fragmentary exemption. So I maintain my solid opposition.

Mr. COLEMAN of Texas. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Texas.

Mr. COLEMAN of Texas. Mr. Chairman, I thank the gentleman.

Mr. Chairman, maybe we ought to find out from our other colleague, the gentleman from Texas [Mr. DELAY], whether or not, if this amendment is adopted, he is going to support the legislation.

Mr. GONZALEZ. Mr. Chairman, I yield back the balance of my time.

Mr. LaFALCE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment as submitted.

Mr. Chairman, I am very pleased that both the majority and the minority on the full committee are recognizing the special needs of the small business community and providing for an exemption of small business. One can

always argue whether that small business exemption should be 10, 15, 50, or 100. Reasonable people can differ, but what is important is that we do understand the special needs they have.

Mr. Chairman, I ask that the Members support the amendment.

Mr. Chairman, I rise in support of the amendments to exempt small businesses from the medical removal requirements in the bill. The amendments would exempt these small firms from the requirement that employers continue salary and benefit payments for 12 months for workers who must be removed from a job to protect their health if they cannot be transferred to another position. The exemption would apply only if the company has made a good faith effort to prevent occupational exposure.

These amendments would exclude over three-quarters of the businesses in this country from the medical removal requirement, while covering over 80 percent of the work force. The amendments, and the amendments adopted in committee, make constructive improvements in the bill that accommodate the concerns raised by the small business community.

It should also be emphasized that the majority of the Nation's small businesses will not be affected by this bill at all. First, businesses are only affected by this legislation if their workers have been exposed to toxic substances in the workplace. Within that group of businesses, only a portion of those will have workers who have been exposed to toxic substances in sufficient concentrations to trigger the notification requirements. Businesses will not be affected unless there is scientific evidence that exposure to toxic substances has caused a statistically significant increase in the incidence of disease in exposed worker populations.

With the adoption of these amendments to alleviate the particular problems that have been raised by small businesses, I can now more readily support this legislation. I urge my colleagues to do the same.

Mr. KOLTER. Mr. Chairman, I move to strike the requisite number of words.

(Mr. KOLTER asked and was given permission to revise and extend his remarks.)

Mr. KOLTER. Mr. Chairman, over 100,000 people have died this year in the United States from occupational disease. How I cast my vote this afternoon is very important because we can cure occupational disease if we support H.R. 162. I rise in support of H.R. 162.

Mr. Chairman, I rise today in good spirits and in great health. Others are not as fortunate. Over 100,000 people died in the United States, this year alone, of a terrible disease. Another 340,000 were disabled. This disease strikes without warning, leaving many of our citizens unprepared, financially and emotionally. The truly sad thing about this disease is that it is preventable, and in most cases, nothing is done to prevent its spreading. I am referring to occupational disease.

Simply put, everyday working people are being killed trying to make a living. They are dying because current Federal regulations do not require employers to inform employees of their risk of disease from hazardous substances that they are exposed to at their workplace. This is an outrage.

I strongly urge my colleagues to support H.R. 162, the High Risk Occupational Disease Notification and Prevention Act. This bill establishes an effective system to identify groups of workers who are at risk of illness as a direct result of exposure to hazardous substances in the workplace.

Working people are dying. We've got to put a stop to it. It is time to tell our workers what they are working with and protect them against occupational disease. Any cost associated with passing H.R. 162 is minor, when compared to the cost of human life and inaction.

I am a family man. I surely won't die from casting a vote. But thousands of lives depend on how I cast that vote. Let's cure occupational disease. Support H.R. 162.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DELAY] to the amendment offered by the gentlewoman from Maryland [Mrs. BYRON].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. BYRON], as amended.

The amendment, as amended, was agreed to.

Mr. BONIOR of Michigan. Mr. Chairman, I rise today in support of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act. The bill we consider today is perhaps the most important bill that we can consider for the rights of American workers this year. H.R. 162 would provide essential governmental protection to ensure the right of American workers to good health.

By providing notification and counseling to workers at a high risk of occupation disease, H.R. 162 would protect the lives and health of American workers who are exposed to the thousands of toxic substances in commercial and industrial workplaces.

At this time, few workers are notified of the potential for developing an illness related to their job. As a result, the diseases go undetected until they have passed the stage where treatment could help. American men and women deserve the chance to protect themselves against illness. They deserve knowledge that will enable them to seek help in the early stages of an illness when there is greater possibility for a cure.

The figures are staggering. More than 100,000 workers die each year from job-related illnesses that could have been prevented or cured. That's at least 1 million unnecessary deaths every decade. More than 240,000 people end up blind, in wheelchairs or bedridden each year for the same reasons, and their illnesses, too, could have been prevented.

The United States possesses great medical and scientific capabilities which can prevent disease and early death. The medical and scientific communities have learned to identify

the sources of illnesses and, therefore, to prevent diseases in high risk cases. For many people, there is no need to die, no need to suffer long illnesses or debilitating diseases.

H.R. 162 sets up a notification process that will enable workers to seek this protection from occupational cancer or other illnesses. By giving American workers the chance to protect themselves from job-related diseases, fewer workers will have to die early, ending their life ill and infirm.

To facilitate the early detection and prevention of occupational diseases, a new office in the Health and Human Service Department would have the responsibility of identifying the populations at risk of occupationally induced diseases. More importantly, this Risk Assessment Board would have the responsibility of notifying and counseling workers in the high risk population.

The bill also seeks to meet the growing need for medical facilities that can help individuals with work-related diseases. H.R. 162 authorizes the certification of occupational and environmental health centers, among existing health-care facilities. The bill authorizes an increase in Federal efforts aimed at identifying and defining worker populations at risk of job-related disease. Other provisions of the bill provide for the ongoing medical surveillance of high risk workers and research into improving the methods of this surveillance.

H.R. 162 would not require the expenditure of large sums of Federal funds. The bill authorizes only \$5 million a year for 5 years. A small price to pay for the health of millions of workers. In fact, H.R. 162 must have been based on the old adage: an ounce of protection is worth a pound of cure. Consider the \$5 million a year pricetag compared with the \$3.5 billion pricetag on the Social Security system's payments for treatment of occupational cancer and other diseases. There is no comparison. And, how much more could H.R. 162 save Medicare, Medicaid and workman's compensation programs if job-related disease among America's workers is prevented?

We have great medical and scientific capabilities in this country and H.R. 162 will put those capabilities to greater use in the area where they could do great good. Using modern-day medicine and science, workers don't have to die young; they don't have to suffer long terrible illnesses and they don't have to spend the end of shortened lives in bed or in a wheelchair.

Mr. Chairman, H.R. 162 will create a national program that will protect many lives from disease and early death. I am proud to say I support H.R. 162, and I urge my colleagues to join me in voting for its passage.

Mr. OWENS of New York. Mr. Chairman, I rise in strong support for H.R. 162, the High Risk Occupational Disease Notification and Prevention Act, and against the amendments which will be offered today to gut this crucial legislation.

Originally, I thought this bill was just about saving lives and preventing disease, but after listening to the arguments of the opponents of H.R. 162, I guess I was wrong. It's really about money. One hundred thousand Americans die every year of occupational illness and what we are hearing from the other side today is that we cannot do a thing about it be-

cause it might cost a corporation somewhere a few bucks.

That is an embarrassment. Not just because the dollar figures being thrown around by the bill's opponents are not real and may as well have been plucked from thin air, but, most importantly, because there is something inevitably indecent about trying to measure the value of human life and well-being in dollars and cents.

Have we learned nothing from the tragic lessons of the past?

Few Americans today do not know that exposure to asbestos can cripple and kill you, but for many years it was kept a deadly secret. The companies that made and used asbestos knew; their in-house physicians knew; their insurance underwriters knew; even some Government officials knew. The only people who did not know and were never told that asbestos can kill you were the men and women who had to work with that poison every day.

As far back as 1948, doctors at the Johns-Manville Corp., knew that asbestos was making their workers sick and had identified a number of workers who had already developed asbestosis. But they did nothing and refused to even tell workers that they were sick, explaining in a corporate memo that "as long as the man is not disabled it is felt that he should not be told of his condition so that he can live and work in peace and the company can benefit by his many years of experience."

And so the conspiracy of silence went on and on, for decades. Thousands upon thousands of American workers lost their lives and today continue to become ill and die because of simple, sickening greed. Because a collection of corporate aristocrats decided that preventing their deaths might inconvenience the company and cut into profits.

Everyone today agrees that what happened at Johns-Manville was wrong, horribly wrong, but apparently we have not learned very much from the experience. Thousands of our constituents are dying from occupational diseases that could have been prevented or effectively treated if they had only been told in time what was happening to their bodies. With H.R. 162, we have the ability to turn that around, to ensure that workers are well-informed about the health risks of their jobs before it is too late for that information to do them any good. But the opponents of H.R. 162 insist that we should not seize this life-saving opportunity, that workers do not have a right to know, and the arguments they use are precisely the same feeble ones that sent so many asbestos workers needlessly to their deaths. Because it would be inconvenient. Because it might cost money.

These objections are not just unconvincing, but profane. I do not pretend to be able to calculate the precise dollar value of the health and lives of the men and women I represent in Brooklyn, and I frankly marvel at those in this body who are able to make that calculation. But I do know that whatever dollar figure you finally come up with must certainly far exceed the minimal cost of implementing the notification and disease prevention program in H.R. 162. If you disagree and intend to vote against this bill or to destroy it with killer

amendments, I urge you to carefully check your calculations again. It simply cannot be that this wealthy nation of ours cannot afford this vital, life-saving legislation.

Mr. GILMAN. Mr. Chairman, I rise today in support of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act. I would like to commend the gentleman from Pennsylvania [Mr. GAYDOS] for his determination in bringing this important measure before us today and for his dedication in helping our growing work force.

Mr. Chairman, many view H.R. 162 as a one-sided bill meant to increase Government control over labor-management relations. What is wrong with a bill designed to identify, notify, and counsel workers who have a high risk of occupational cancer and other diseases. It is morally wrong if the Government does not want to warn our workers of such hazards. I have heard from many groups which strongly endorse this measure, including many businesses from my congressional district. These include: Ciba-Geigy, American Cyanamid, Union Carbide, and IBM. The public health and environmental groups have also expressed their support of H.R. 162, and who can fault those who this bill will benefit the most for voicing their concerns, the workers.

I have spoken with a number of concerned individuals who believe that H.R. 162 will create a needless multimillion-dollar new Federal bureaucracy. I contend that not only is H.R. 162 scientifically, medically, and legally sound, but that it also is fiscally responsible and cost-effective for both the Federal Government and employers. Many of us are aware of the startling statistic that as many as 100,000 workers die each year from occupationally related diseases and as many as 390,000 are newly disabled from exposure to toxic substances in the workplace. This results in a staggering \$3.5 billion currently being expended by the Social Security disability, Medicaid, and Medicare programs for occupational diseases. By contrast, according to a cost analysis prepared by NIOSH, the total Federal costs of administering H.R. 162, including notification of workers at risk plus funding for 10 occupational health centers, would be between \$20 and \$25 million annually.

Others are also worried by the potential cost to the employers and the possibility of increased liability claims. These also seem unwarranted. While this legislation requires employers to incur the cost of medical monitoring for their current employees who are at risk of a particular occupational disease and received some part of their exposure in the course of their current employment, employers are not responsible for medical monitoring costs with respect to their former employees. Many employers subject to this bill are already paying for medical monitoring under the 24 OSHA health standards currently in effect. Logic tells us that it is less costly to detect and prevent an occupational disease than to treat it once it has had time to spread.

A concern has been expressed that once employees are informed that they are at risk of cancer or other serious diseases, anxious workers and their families will generate a tidal wave of compensation claims. H.R. 162 provides that any action taken pursuant to the act

may not serve as the basis for any claim for compensation and that evidence of any action taken pursuant to the act may not be admissible in any compensation proceeding. One can look toward the business community to be reassured. As I stated before, this legislation has received impressive support from many companies and associations, including the American Electronics Association and the Chemical Manufacturers Association, whose members produce 90 percent of the chemicals in the United States. It would be reasonable to assume that these companies have had extensive experience with the potential liability consequences of hazardous workplace exposure, but feel confident that H.R. 162 will not lead to additional liability exposure for employers and their insurance carriers.

Mr. Chairman, I do not believe that the Jeffords-Henry substitute is without merit. The objective of my colleagues to remove the hazards from the workplace, thereby reducing the risk, is honorable. I would have hoped that Members from both sides of the aisle could have combined the best of both bills so that we could have a true bipartisan compromise. We all agree that the workers' right to know of hazards in the workplace is primary to protecting health, preventing illness, and ensuring public safety. This is one of the most important issues that will be considered by the 100th Congress and deserves the support of a true majority.

Mr. Chairman, this legislation provides an important tool in preventing and controlling occupational related diseases and improving the health of this Nation's workers. Accordingly, I ask my colleagues to join in support of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act.

Mr. DENNY SMITH. Mr. Chairman, I rise in strong opposition to H.R. 162, the High Risk Occupational Disease Notification and Prevention Act of 1987. This legislation is the perfect example of a good idea that makes for bad law.

Nobody disagrees with the idea behind this bill. As a businessman myself, I understand the need for protecting my employees from undue health hazards. Health care costs are an important consideration for anyone attempting to start or maintain a business. But H.R. 162 goes far beyond this. It would open a Pandora's box and subject businesses of all sizes with increased Federal intervention, increased costs, increased liability, and increased litigation. H.R. 162 would do more to hurt our ability to compete on world markets than if we simply walked out of this chamber and shut down the businesses ourselves.

The creation of a Risk Assessment Board to determine the exact nature of the risk to employees will raise more questions than it will answer. Once again we are faced with the concept that not only does the Government know what's really in everyone's best interests, but that this same Government is capable of acting upon these findings in a fair and reasonable manner. Based on past experience, I find this philosophy hard to believe. We must reject the notion that bureaucrats on the Potomac have all the answers.

What constitutes a hazard, and what is the proper remedy? According to H.R. 162, workers would have to be notified and transferred

to a different position within the company, at full pay and benefits. If another suitable position can not be found for these employees, then the employer must pay 1 year's salary and benefits to the affected employees. The Sun constitutes a major health hazard. Are we to tell the numerous farm workers, cab drivers, landscape architects, construction workers, and lifeguards in this country to find other professions? Professional football is a violent sport with many injuries. Would we be required to find other jobs for these men?

The costs of this legislation to business will be astronomical. The General Accounting Office cannot even begin to compute these costs. Large corporations may be able to absorb such costs. Unfortunately, the vast majority of smaller businesses will be hurt. One of the most affected would be beauticians, who deal with a surprising number of chemicals that would fall under this bill. The vast majority of these operations are small, with high employee turnover.

The sponsors of this legislation tell us not to worry, because H.R. 162 would not increase the costs of liability coverage and would not increase the amount of litigation in this country. The one test case that we have, a company located in Georgia, proved that this simply was not so. Even though the Augusta Chemical Co. was supposed to be free of this burden, \$335 million worth of lawsuits were filed against the company by employees and former employees. Although the majority of these claims were not allowed to go to court, the company lost millions of dollars in defense of the suits and through settlements to these workers. Regardless of what this legislation says, and regardless of the best intentions of the sponsors and supporters, H.R. 162 is not litigation-proof and never will be. Somewhere in this country, a union or an individual worker will file a suit, and a judge will rule the provisions that prevent suits to be invalid. Once this happens, all bets will be off. This bill may as well be called the Lawyers Relief Act of 1987.

H.R. 162 is one of the many bills being forced upon us by the labor unions of this country. Regardless of whether the issue is increased minimum wages, or mandated levels of health benefits, or plant closure notification, this Congress is becoming increasingly anti-business. While many members of this body are decrying our trade deficit and our lack of competitiveness in the world today, these same individuals are foisting millions of dollars of operating costs and thousands of pages of regulations, forms and lawsuits on the employers of today. The employers are supposed to take a risk, start a business, create the jobs and then keep their mouths shut. Our country can not afford this type of attitude from Congress.

No one in this body disagrees with the goal of making America's workplaces safe. But H.R. 162 is not the answer to the problem. It is a whole new problem unto itself.

Mr. HOUGHTON. Mr. Chairman, there are two considerations in the approach to assessing risk—first and foremost is the person, or the human being. The second is the business itself, in other words, the structure which provides the job to begin with.

Of the two bills before us today, in my mind one is reasonable if not perfect; the other would be dangerous. Let me explain briefly what I mean. H.R. 162 on the surface appears socially responsible and not laden with costs. But in looking closer at the open endedness of the commitment it would be virtually impossible to plan for one's very existence. I will not produce a litany of the key features which comprise the bill. Suffice it to say that we are legislators. We do not have to meet a payroll, plan for taxes, costs, customer complaints, bumps in the economy. That is for others. But the others are people with courage and guts and a willingness to take a chance. They comprise small business. They help pay our salaries. Small business, and its employees are the backbone of this country. There is no way that I nor you nor any other legislator, having changed jobs with the whisk of a magic wand, could find a way to operate with H.R. 162 facing us in the out years.

The Henry-Jeffords amendment, while far from perfect, puts the human being up front as a human being. It provides training in the use of hazardous materials. It also assures both workers and retirees of notification if they are really at risk. At the same time, it hears the cries of the organization, which employs those people, to help keep that business open. Without it nothing works.

It is for this reason, Mr. Chairman, that I support the Henry-Jeffords amendment and plan to vote against a potential calamity for the small businessman embodied in H.R. 162.

Mr. SHUMWAY. Mr. Chairman, I rise in opposition to H.R. 162, the High Risk Disease Notification and Prevention Act of 1987. If enacted, this measure would have a devastating effect on small business.

H.R. 162 would increase liability exposure and litigation, increase health insurance costs and raise the cost of labor for small firms. Specifically, it would encourage litigation between employees and employers, which would in turn increase the costs of liability insurance and workers' compensation. The bill would force small businesses to provide testing, evaluation and medical monitoring regardless of the employer's liability for the potential illness. Further, the benefit reduction protection provision would increase costs to businesses unable to provide alternate positions for their workers. As a result, those businesses would be forced to provide severance pay for a full year.

Conservative estimates show that implementation of H.R. 162 would add between 4 and 8 percent to a small company's operating costs. Considering that the average profit margin for a small company is estimated at only 2 to 3 percent, it is obvious that the bill will have a very negative impact on those companies.

According to the latest report on the state of small business, there are over 15 million small businesses in the country. Over the past 6 years more than 90 percent of the new jobs created have been in companies with fewer than 20 employees. The enactment of H.R. 162 would undoubtedly end that positive trend.

Strengthening ongoing occupational disease prevention programs under existing laws, rather than creating new Federal programs

seems to me a more reasonable solution. The existing Hazard Communication Standard establishes a comprehensive program of notification and training of workers by their employers concerning chemical hazards in the workplace. The regulation provides hazard information on 575,000 substances to 32 million workers. A separate regulation requires employers to maintain records of exposure and medical surveillance and provide this information to their employees. I believe that strengthening these existing programs and other Occupational Safety and Health Administration standards provide the protection necessary for workers, and constitute a more appropriate, cost effective remedy.

There seems little point in resolving the hazard problem by eradicating the jobs. Unfortunately, in the case of small businesses, that is exactly what H.R. 162 would do. I urge my colleagues to vote against this inappropriate measure.

Mr. FOGLIETTA. Mr. Chairman, I rise in strong support of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act. This bill establishes a much needed program to inform workers aware of the health risks which may result from certain occupations and will provide these workers with assistance in preventing these diseases from developing.

H.R. 162 is one of the most important pieces of legislation that we examine this term. This bill will establish a Risk Assessment Board, which will identify groups of workers who are at high risk of disease because of previous occupational exposure. The study will isolate those groups where the incidence of disease is 30 percent greater than the general work force. The program will then notify those workers in these occupations. It will provide these workers with information on the types of disease for which they are at risk, and the necessary actions which must be taken. The Risk Assessment Board will also provide this information to the family physician of the worker.

The opponents of this bill argue that it will set up another bureaucracy which will further strain our resources. This could not be farther from the truth. The fact is that this bill will save money. The annual cost of occupational disease to the Federal Government from its disability and health benefit programs is \$5.4 billion. The annual cost to administer this program is \$25 million. The annual cost of occupational disease to business is estimated at between \$2 and \$4 billion. The cost to business to administer this program is estimated at between \$3 and \$38 million. If this program allows us to prevent even 1 percent of occupational diseases, it will more than pay for itself.

H.R. 162 expressly prohibits the use of determinations by the Risk Assessment Board as a basis for, or evidence in, compensation, loss, or damage claims, so the argument that this bill will cause a flood of new litigation by workers who have been informed that they are at risk is false. The General Accounting Office reviewed this bill and found no basis to conclude that it would contribute to increased liability or litigation.

In my opinion this is a hypocritical argument anyway because if increased litigation is

needed to force managers to act responsibly in protecting the health and safety of their employees, and to prevent plant operators from knowingly exposing their workers to hazardous substances, then so be it.

This legislation is long overdue. It ensures that our Nation's workers no longer will be kept in the dark but will receive the information they need to make knowledgeable decisions about the hazards they face in the workplace every day. It is a very important piece of legislation, and I commend Chairman GAYDOS and his committee on their work.

Mr. BONKER. Mr. Chairman, as an original cosponsor of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act, I rise in strong support of the bill. I am pleased by the work that the Education and Labor Committee has done in bringing this bill to the floor.

I am aware of the considerable objections that many businesses have to this legislation and their concerns that this bill will cause an epidemic of lawsuits. Certainly, it is not the intention of Congress to cripple businesses that involve the use of hazardous materials in their manufacturing processes and I believe that the bill has included safeguards to prevent that from happening.

The most important issue, however, is the long-term health of workers engaged in jobs that put their health at risk. Approximately 100,000 workers die and 340,000 more are disabled each year by health problems attributable to exposure to hazardous substances at the workplace. The subsequent costs to business and the Federal Government to treat and care for these exposed workers is enormous. I believe that the legislation drafted by the committee—and not the substitute amendment—takes significant steps toward reducing the risks and limiting the problems associated with exposure to toxic chemicals.

The bill takes aggressive steps to identify, monitor, and treat the health effects associated with occupational exposure to hazardous materials. Health hazards would be identified by a newly created Risk Assessment Board which will review clinical and epidemiological studies for significant evidence of health risks.

Notification would be given to worker groups by the National Institute for Occupational Safety and Health [NIOSH]. Through NIOSH, high-risk workers would be given information about the nature of the risk, what diseases are associated with exposure, and be given advice for how their health should be monitored for early detection of any illness.

At the present time, current workers benefit from information about toxic materials supplied under the Occupational Safety and Health Administration's [OSHA] recently implemented Hazard Communication [HazCom] Standard. HazCom requires employers to train workers in safe handling of hazardous materials, label hazardous materials as such, and provide so-called material safety data sheets outlining permissible exposure levels and health effects.

This is an important but incomplete step. Unlike H.R. 162, it makes no contribution to ensuring the long-term health of the employee. If we are sincere in our efforts to protect workers from chronic health problems which

are thought to result from toxic substance exposure, then an aggressive response is needed. Workers need to know the risks and be monitored to determine whether their health is being harmed. Furthermore, former workers, who may still be in the latency period of debilitating disease, deserve to know as soon as possible so that medical steps can be taken to reduce the impact. This is the fair and decent approach to an insidious problem.

Many of the provisions of H.R. 162 are based on existing policies of OSHA or modeled after well-designed programs in existing companies that routinely handle toxic substances. The requirements are not unreasonable, particularly considering the importance of the long-term health of workers.

I have been contacted by a number of firms who are concerned about an explosion in litigation and soaring costs for businesses and the Federal Government. Their concerns have been reflected in this legislation. The bill disallows using actions under the bill as a basis for any legal claims. As stated in the committee report, "The intent of these provisions is to leave tort liability and litigation and workers' compensation proceedings precisely where they would have been without enactment of the legislation." Workers already can file suit for job related health problems and most businesses are already prepared to respond to these claims. Certainly if a worker has been injured or becomes ill as a result of work related toxic substance exposure, companies should bear the responsibility of compensation.

Mr. Chairman, whenever we consider legislation involving worker rights, the debate is passionate and emotional. Fortunately, during the process, compromises are made, legislation is improved, and workable solutions are reached. In the case of H.R. 162, we are dealing with one of the fundamental problems in any workplace, the safety of the worker. Modern medicine and sophisticated research have made possible protections that were not possible several years back. There is no reason to accept preventable jobs related disease and disability. That is why I am supporting H.R. 162. I hope my colleagues and opponents of the legislation recognize that this should be the paramount concern, and that we can join together to promote safer working conditions by approving this bill today.

Mr. GALLO. Mr. Chairman, the importance of worker notification is widely recognized in Government and in the private sector. H.R. 162, which seeks to address this concern with a national policy, is the only measure before us on this subject and I am voting in favor of this bill to keep the process moving toward an eventual solution to this critical problem.

Yesterday, I supported the Jeffords-Henry substitute to H.R. 162, the High Risk Occupational Disease Notification and Prevention Act of 1987, because I believe that the Jeffords proposal contained many workable provisions. However, the Jeffords-Henry amendment was defeated and we must now keep moving forward in our efforts to create a workable Federal notification policy.

We are faced with what I consider to be an important challenge. There is no question that we must provide additional safeguards in the workplace for employees. The question,

rather, is how are we going to bring about this protection.

It is imperative that we establish a system to ensure that hazardous materials in the workplace are handled in a safe manner that will reduce the risk of occupational disease.

The primary focus of our efforts to protect the health and safety of workers must be to get the right information to the right people at the right time in a form that brings enlightenment, not panic.

I favored the Jeffords-Henry proposal because it would have permitted us to enhance and expand a newly established and workable system that is already in place. I am referring to the Occupational Safety and Health Administration [OSHA] hazard communication standard that has recently been expanded to apply to all private sector employers.

The expanded OSHA standard, if allowed to work, could significantly reduce the incidence of occupational diseases by ensuring that millions more workers understand the potential danger of substances in the workplace, and that workers are trained in the protective measures necessary to safely handle those materials.

Based on my experience in the area of community right-to-know, I am concerned that certain provisions of H.R. 162 are more complex than they need to be to get the job done effectively.

As the House sponsor of the community right-to-know provisions in the Superfund law, I spent many hours during the 99th Congress in consultation with environmental and business groups in an effort to design a community right-to-know law that provides the right information to the right people at the right time, without creating a paper blizzard that would bury local emergency response teams in times of emergency.

My efforts had the support of those groups within the emergency response community who were on the front line of this issue. Local police and fire teams were very concerned that Congress would pass a law that would give them a great deal of information in a form that would be totally unusable.

With community right-to-know, I believe we accomplished our goal and created a good law based on a good idea.

While H.R. 162, seeks to provide facts so that intelligent people are able to make intelligent choices about the protection of their personal health, there are too many questions left unanswered in this bill.

Are substances used in different concentrations and for different purposes to be treated in the same way or based on their specific use? Can workers depend on this system to give them information that is useful or information that raises the level of uncertainty?

We must avoid the temptation to overlegislate and provide workers with shades of gray and conjecture that will frustrate efforts to know the truth and create a situation where claim and counterclaim will replace facts.

Even though I raise these objections to H.R. 162, expanded worker notification is too important to millions of our Nation's workers to delay further action. It is imperative that we continue to work together to pass legislation that will best serve the interest of the safety and health of all workers. A critical part of that

process must be to design a program that works.

For these reasons, I am voting for this bill today, but I think the process of refinement must continue, if we are serious about a workable notification policy.

Miss SCHNEIDER. Mr. Chairman, the past few weeks have seen a flood of information and arguments concerning the bill before us today, H.R. 162, the Worker Notification Act. Having gone on record in support of this bill, I want to take this opportunity to respond to those who argue against this important legislation. There are those who argue that we should refrain from supporting this bill because we cannot know its consequences. True enough, we in the Congress do not have a crystal ball. We cannot now know how many or which substances the Risk Assessment Board will determine sufficiently hazardous to invoke the notification procedures. We cannot know how many potential victims of disease might be spared if given information that allowed them to seek early medical attention. We cannot know how future court cases might be decided. We cannot predict the impact of this legislation on any aspect of commerce. I question, however, how this uncertainty is different from the hundreds of other bills that reach the House floor each year. Why in this instance, should our inability to tell the future preclude us from acting on a vital issue, particularly an issue of critical importance to American workers?

Some have termed this legislation as "anti-competitive." They argue that since our overseas competitors do not operate under similar provisions regarding notification of exposure to hazardous materials, we are putting ourselves at a disadvantage. This is a myopic view of competitiveness. It confuses trade deficits and surpluses with standard of living. We are not competing in a world economy simply to make the statistics come out in our favor. We are competing in a world economy in an attempt to provide a better standard of living for the American people. To do so means that we must ensure that future generations have the education, skills, and technical capability to continue improving their standard of living. If we ignore the health and well-being of the American worker in some quixotic quest to be more competitive, we have missed the point completely.

Throughout the course of the debate on worker notification, not one person has suggested that it was wrong to notify individuals that they had been exposed to a potentially dangerous condition at work. A strong case was made for the substitute provision that emphasizes concurrent and future efforts at informing workers of their exposure to hazardous materials. This is a position that I advocate completely and a position that I supported with my vote. The Worker Notification Act, however, also addresses the needs of those people who have a history of working with hazardous substances and who have had no basis for knowing the potential danger. Even though we recognize those risks, should we say to these people, "Tough luck. We don't want to tell you because we don't know what you might do?" I think that this is an unreasonable position.

Another point which has been discussed at length is increasing liability. This is a legitimate concern and I appreciate the fact that trivial suits may be filed under this program. The General Accounting Office has reported that this bill would not increase liability suits. I supported amendments that would make this bill less burdensome to businesses and further reduce the likelihood of suits resulting from any notification activity. The issue of tort reform is, however, a separate, broader matter that should be addressed on its own merits.

Mr. Chairman, I recognize that this is not likely to be the last time that the House will be called upon to debate the complex issue of health in the workplace. I support H.R. 162 not because I see it as a perfect bill, but because I feel that the American worker has a right to know if their health has been put in jeopardy by exposure to hazardous substances.

Mr. OXLEY. Mr. Chairman, many of my colleagues who advocate passage of H.R. 162, the High Risk Occupational Disease Notification and Prevention Act of 1987, also claim to support efforts aimed at improving the competitive ability of U.S. industries.

After looking closely at H.R. 162, I am having a difficult time trying to understand those who support U.S. competitiveness and this legislation because, like protectionist trade measures, it does absolutely nothing to advance the goal of improving or increasing the competitiveness of U.S. industry.

The omnibus trade bill, presently pending in a House-Senate conference committee, is far from perfect in my view, but it does contain some important provisions which should help to improve our position in world trade. Enactment of H.R. 162 or similar legislation would undermine Government and private sector efforts aimed at making the United States more competitive in international markets.

It is not possible for a member to advocate competitiveness and the objectives of H.R. 162, Mr. Chairman. This is like training the U.S. Olympic swim team for international competition and then sending them into the water with weights around their necks.

H.R. 162 will increase costs and burdens imposed on U.S. industry. The health of American workers should be protected, but in a reasonable manner. A shotgun blast attempt at notification, as is proposed in H.R. 162, is not a reasonable nor responsible way in which to address worker health and safety concerns.

H.R. 162 unnecessarily duplicates the Occupational Safety and Health Administration's [OSHA] extensive efforts now underway to deal with worker exposure and health hazards, resulting in additional costs for the Federal Government and U.S. taxpayers.

In fact, OSHA's hazard communication standard has been expanded to cover millions of workers and, like the Henry-Jeffords substitute, it focuses on prevention in addition to detection of exposure.

Notification provided in accordance with H.R. 162 will result only in fear, hysteria, and liability suits. Given that we in the United States are already facing a serious liability crisis, enactment of H.R. 162 would be disastrous for an overtaxed legal system and for the competitive position of our industry.

If this legislation becomes law, employers and manufacturers will undoubtedly face a tidal wave of suits and claims, many of which may have no scientific basis at all. In addition to court costs, increased insurance premiums and attorney's fees, many out of court settlements will likely result regardless of the merit of a particular suit or claim.

Mr. Chairman, enacting legislation that will result in nothing less than a liability explosion is not the way to enhance our competitive ability in my book.

For these reasons and others, I remain opposed to H.R. 162 in its present form, and I urge my colleagues in this body to support the Henry-Jeffords substitute amendment. Without this amendment, H.R. 162 should be rejected.

Mr. HENRY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think that Members should know that at this point it appears as though we may be wrapping up this business. We have an agreement which will expedite the completion of the business before us this afternoon.

I had some 15 amendments at the desk, and I have been given the opportunity, before we proceed to what I think is a final vote on this issue, to address some of the unresolved scientific and liability public health issues involved in the legislation.

We have had a good deal of debate, some vigorous debate, and we have had some amendments voted on on the liability issue. We have had amendments voted on as to what is or what is not a high risk. Indeed high risk is never defined in the bill.

I had printed a number of amendments, trying to highlight some of the unresolved liability problems. I would like to point out what these amendments sought to address so Members can still have some understanding of some of the unresolved issues in this debate as we approach the final question before us.

We should point out that the high risk bill is based in some respects on very bad science because of the way in which it is written. It prohibits the use of environmental standards in terms of environmental factors of the workplace which are not integral to the work process itself. That is to say railroad-yard workers are not protected against PCB's which may be in the railroad yard so long as the PCB's were not part of the work process, integral to the rail yard. Asbestos in school rooms as an environmental threat is not covered. Indeed the synergistic interactions of behavioral uses of tobacco, for example, and knowing that the use of tobacco for behavioral life styles has a profound effect on susceptibility to the kinds of occupational diseases we are talking about are blocked off from the bill. One of my amendments would have broadened the bill to allow for these behavioral and environmental factors.

We should point out that the bill has no casual connections demanded in the determination of risk. Risk is determined in this bill on the basis of association of exposure to a health effect. There is not even a necessity of probable cause in terms of establishing relational effect.

Third, Mr. Chairman, this is what I view as a very fundamental scientific flaw in the bill. The Risk Board, when reviewing exposure, is not required to consider the concentration and duration of an exposure before declaring a population at risk. Under the bill as it is before us in its final passage, the Risk Board may look at concentrations or it may look at durations, but the bill does not conform with elemental science which would suggest that we ought to look at both concentration and exposure.

Mr. Chairman, I had four amendments pertaining to liability block-offs, matters which we tried to deal with in our substitute in the previous session.

Mr. Chairman, we have all heard the expression of Thomas Wolfe in his famous novel, "You Can't Go Home Again." Mr. Chairman, the fact of the matter is that you cannot vote for this bill and go home again and say that you support liability reform, because without these liability issues being resolved we find ourselves in a situation when liability problems in our industries and our Nation are exacerbated.

This bill is dangerous in terms of liability exposure. It is built on poor science. It has terrible cost and competitive implications for American industry, and in terms of protecting worker health, it is inferior to the substitute which was defeated in the previous day's action.

Mr. Chairman, for those reasons I once again reiterate my opposition to this bill, and I state that I will not offer my amendments.

Mr. GAYDOS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as I understand it, our agreement was that I would be the last speaker; is that not correct?

Mr. HENRY. Mr. Chairman, if the gentleman will yield, my understanding was that I would be allowed to speak and withdraw my amendments, and that there would be 5 minutes of closing debate on each side.

Mr. GAYDOS. Mr. Chairman, may I ask this: I see that the gentleman from Pennsylvania [Mr. WALKER] is seeking recognition.

Mr. WALKER. Mr. Chairman, if the gentleman will yield, I wanted to enter into a colloquy.

Mr. GAYDOS. Either we have an agreement or we do not have an agreement. I do not follow that.

Mr. WALKER. Mr. Chairman, if the gentleman will yield just briefly, I just wanted to clarify one thing.

Mr. GAYDOS. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I just want to clarify this with the gentleman. In the informal discussion we had, in the bill where the term, "agency," is used, it speaks of any Federal, State, or local government, and I understood that in fact that covers the legislative branch of Government and also covers the military; is that correct?

Mr. GAYDOS. I would say by inference that the military would be included by the specific language we have referring to the Federal, State, or local government.

Mr. WALKER. And it also includes the legislative branch?

Mr. GAYDOS. I would not say it includes that or that we could interpret it that way. It includes the military. The gentleman can put his own interpretation on it.

Mr. WALKER. No. This gentleman understood the gentleman to say this earlier, and that is what I am trying to establish, whether we are covering ourselves in the same way we are covering private enterprise under this bill. Is the gentleman saying that is not the case?

Mr. GAYDOS. I cannot say that is not the case, because the proper application and interpretation may well include this body.

Mr. WALKER. Well, I would hope that it would.

Mr. GAYDOS. I wish I could be more specific, but that matter will be taken up, I am sure.

Mr. WALKER. It says, "any agency of the Federal Government." The legislative branch is an agency of the Federal Government; is that not correct?

Mr. GAYDOS. It could be interpreted in that way. The gentleman will make his own interpretation.

Mr. Chairman, we have come to the point where we are going to have a final vote on this bill. I want to say this: That there is a need for this bill. This is an outgrowth of OSHA. The genesis of the bill goes 2 years back, and actually before that. There was always concern since OSHA was passed 17 years ago as to why 100,000 individual employees every year die and 400,000 are injured.

We were not doing too much about it. So this bill is not in place of OSHA; this bill is a supplement or an outgrowth of OSHA. It is a very difficult bill to understand under the circumstances. In talking to my colleagues, I know that a lot of them were confused about the bill, but the bill basically is very simple in its approach. The bill does this: the bill says that here is a situation that must be addressed. These 100,000 deaths and 400,000 individuals that are thrust upon the public payroll every year are costing the Federal Government \$5.4 billion,

and then there is the additional cost to business, too.

This is not an antibusiness bill. How could this bill be antibusiness when we have business support, meaningful business support, from the Chemical Manufacturers Association, the National Paint and Coating Association, and all the way down to Ciba-Geigy, Merck and Co., Crum & Forster Insurance Co., Atlantic-Richfield Co., Occidental Petroleum, and Union Carbide. This looks almost like a business bill.

We think the bill is so properly crafted that we took care of the business interests along with the interests of the working people. And we are also looking after the interests of the environmental supporters of the bill.

Look at the people who have taken their time and used their resources to make sure that our colleagues were properly informed. The American Medical Association, the American Cancer Society, the American Lung Association, the Association of Schools and Public Health, universities, health science centers, the Thoracic Association, all those societies dealing with health problems feel that this bill is a proper bill.

This bill calls for \$25 billion, and we do have budget constraints. This is a \$25 billion authorization, and we put a limit on it of 5 years. That is 5 years.

Now, what we want to do with this bill is to start and put into motion in this country a national occupational health policy. How we have done it with this bill is very simple. No. 1, we have put together the most highest trained technical and scientific body, one that would be nonpolitical, and we call it the Risk Assessment Board. We give some parameters in the bill to that Risk Assessment Board, and we say to that board: "Here is what we want you to do. You are the best qualified in the country, and you can make these determinations. Look at what is going on, please, and then make a determination as to which risks there are, where, and under what circumstances, and then turn it over to NIOSH and notify them."

Mr. Chairman, that in a nutshell is what we are trying to do in this bill, and I ask all my colleagues to support this bill. It is very important.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COELHO], having assumed the chair, Mr. TORRES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 162) to establish a

system for indentifying, notifying, and preventing illness and death among workers who are at increased or high risk of occupational disease, and for other purposes, pursuant to House Resolution 280, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENRY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 186, not voting 22, as follows:

[Roll No. 359]

YEAS—225

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| Ackerman | Collins | Ford (TN) |
| Akaka | Conyers | Frank |
| Alexander | Cooper | Frost |
| Anderson | Coughlin | Gallo |
| Andrews | Courter | Garcia |
| Annunzio | Coyne | Gaydos |
| Anthony | Crockett | Gelderson |
| Applegate | Davis (IL) | Gibbons |
| Aspin | Davis (MI) | Gilman |
| Atkins | de la Garza | Gonzalez |
| AuCoin | DeFazio | Gray (IL) |
| Bates | Dellums | Gray (PA) |
| Bennett | Dicks | Green |
| Berman | Dingell | Guarini |
| Bilbray | DioGuardi | Hall (OH) |
| Boggs | Dixon | Hamilton |
| Boland | Donnelly | Hawkins |
| Bonior | Dorgan (ND) | Hayes (IL) |
| Bonker | Dowdy | Hayes (LA) |
| Borski | Downey | Hertel |
| Bosco | Durbin | Hochbrueckner |
| Boucher | Dwyer | Howard |
| Boxer | Dymally | Hoyer |
| Brennan | Dyson | Hubbard |
| Brooks | Early | Hughes |
| Brown (CA) | Eckart | Jacobs |
| Bruce | Edwards (CA) | Jontz |
| Bryant | Erdreich | Kanjorski |
| Byron | Espy | Kaptur |
| Campbell | Evans | Kastenmeier |
| Cardin | Fascell | Kennedy |
| Carper | Fazio | Kennelly |
| Carr | Feighan | Kildee |
| Chapman | Flake | Kleczka |
| Clarke | Flippo | Kolter |
| Clay | Foglietta | Konnyu |
| Coelho | Foley | Kostmayer |
| Coleman (TX) | Ford (MI) | LaFalce |

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Matsui
Mavroules
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McCloskey
McCurdy
McDade
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McMillen (MD)
Mfume
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Miller (CA)
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Upton
Valentine
Vander Jagt
Vucanovich
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Weldon
Whittaker
Wolf
Wortley
Wyllie
Young (FL)

NOT VOTING—22

Badham
Biaggi
Bliley
Bustamante
Conte
Florio
Gephardt
Hatcher

Kemp
Leath (TX)
Lent
Livingston
Martin (NY)
Nichols
Pepper
Quillen

Roemer
Scheuer
Tauzin
Traxler
Vento
Watkins

□ 1500

The Clerk announced the following pairs:

On this vote:

Mr. Gephardt for, with Mr. Kemp against.
Mr. Pepper for, with Mr. Nichols against.
Mr. Scheuer for, with Mr. Bliley against.
Mr. Florio for, with Mr. Quillen against.

Mr. PANETTA changed his vote from "yea" to "nay."

Mr. AKAKA changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 162, HIGH RISK OCCUPATIONAL DISEASE NOTIFICATION AND PREVENTION ACT OF 1987

Mr. GAYDOS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, the Clerk be authorized to make corrections in section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending H.R. 162, the High Risk Occupational Disease Notification and Prevention Act of 1987, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. GAYDOS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 162, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 2167, RAILROAD UNEMPLOYMENT INSURANCE AND RETIREMENT IMPROVEMENT ACT OF 1987

Mr. FLIPPO. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight, Thursday, October 15, 1987, to file its report to accompany the bill, H.R. 2167, the Railroad Unemployment Insurance Act of 1987.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

FURTHER LEGISLATIVE SCHEDULE

Mr. FOLEY. Mr. Speaker, in view of the early conclusion of this legislation, I would like to announce to the House that the Tuesday schedule obviously will not be expected to go late on Tuesday. It was earlier estimated we would have a late session because of the possible continuation of the legislation just concluded, but we will on Tuesday have the call of the Private Calendar and we will also add three suspensions to the list already announced.

H.R. 85, to eliminate security assistance and arms export preferences for New Zealand.

House Concurrent Resolution 158, concerning the establishment of a South Pacific nuclear free zone.

House Resolution 277, expressing the sense of the House with respect to human rights abuses in Afghanistan.

PERSONAL EXPLANATION

Mr. FOLEY. Mr. Speaker, on rollcall No. 353 yesterday, I was unavoidably absent. Had I been present, I would have voted "aye."

WAR RISK INSURANCE PROGRAM EXTENSION

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be discharged from further consideration of the Senate bill (S. 1628) to extend the Aviation Insurance Program for 5 years, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. HAMMERSCHMIDT. Reserving the right to object, Mr. Speaker, I yield to the gentleman from New Jersey [Mr. HOWARD] to explain his request.

NAYS—186

Archer
Army
Baker
Ballenger
Barnard
Bartlett
Barton
Bateman
Bellenson
Bentley
Bereuter
Bevill
Billrakis
Boehlert
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Broomfield
Brown (CO)
Buechner
Bunning
Burton
Callahan
Chandler
Chappell
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Coleman (MO)
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Craig
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Daniel
Dannemeyer
Darden
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DeLay
Derrick
DeWine
Dickinson
Dornan (CA)
Dreier
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Edwards (OK)
Emerson
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Lowery (CA)
Luken, Thomas
Lukens, Donald
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Smith, Denny
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Mr. HOWARD. Mr. Speaker, I thank my distinguished colleague, the gentleman from Arkansas, for yielding.

Mr. Speaker, the bill now before us would extend the so-called War Risk Insurance Program for 5 years. This program has been in effect since 1951. Under the program the Government provides insurance to airlines providing service between the United States and a foreign country when there are security problems and commercial insurance is unavailable. Before insurance is issued the Secretary of Transportation must determine that insurance cannot be obtained on reasonable terms and conditions from U.S. insurance companies and the President must determine that continuation of the air service operations to be insured is necessary to carry out the foreign policy of the United States. The program is supported by a revolving fund which includes premiums paid for coverage and any funds appropriated by the Congress. The revolving fund currently has a balance of \$38 million. The administration supports the 5-year renewal of this program. I urge my colleagues to join me in supporting this legislation.

Mr. MINETA. Mr. Speaker, I rise in support of this legislation to reauthorize, through fiscal year 1992, the Aviation Insurance Program, commonly referred to as the War Risk Insurance Program.

Although this program is not well known, it is one that is very important to the implementation of our Nation's foreign policy.

Under this program, the Federal Aviation Administration provides insurance to U.S. airlines for air service to foreign countries when commercial insurance cannot be obtained on reasonable terms and conditions, and when the President determines that the continuation of air service is necessary to carry out the foreign policy of the United States.

Although it has not been necessary to make extensive use of the program since it was last authorized 5 years ago, it does not take one long to conceive of instances in the world today where a Government insurance program for service to high risk areas might be necessary.

Mr. Speaker, I urge the House to pass this bill. Our Nation's foreign policy interests will be well served by it.

Mr. HAMMERSCHMIDT. Mr. Speaker, I concur in the gentleman's statement and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1312 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1542) is amended by striking "1987" and inserting in lieu thereof "1992".

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 1628, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO FILE REPORT ON H.R. 3479, ADJUSTMENTS OF ROYALTY PAYMENTS UNDER CERTAIN FEDERAL ONSHORE AND INDIAN OIL AND GAS LEASES

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs have until 5 p.m. today to file a report on the bill (H.R. 3479) to provide for adjustments of royalty payments under certain Federal onshore and Indian oil and gas leases, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

TIME FOR ADMINISTRATION TO JOIN CONGRESS AND THE AMERICAN PEOPLE TO TURN NATION'S TRADE DEFICIT AROUND

(Ms. KAPTUR asked and was asked permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Ms. KAPTUR. Mr. Speaker, yesterday the stock market dropped a record 95 points because of a trade deficit that this Nation has which is out of control.

Today's headlines tell the whole drastic story. In the Washington Post: "Trade Gap Batters Markets."

In the Wall Street Journal: "Trade-Gap News Sends Stock Market Reeling Into a Record Tailspin."

It is now clear that the 1987 trade deficit will set a new record for the fifth year in a row for this country, somewhere in the neighborhood of \$170 billion.

Is it not obvious by now that we cannot rely on drops in the value of the dollar and other nations to turn our Nation's trade deficit around.

Is it not obvious that restoring a positive balance of trade is essential to jobs in this country and to a healthy

manufacturing and agricultural sector?

It is time for a new administration in Washington, joined by the Congress and the American people, it is time to stand up for American jobs and businesses. It is time for a major change in this country.

Mr. Speaker, I include the articles referred to above, as follows:

[From the Wall Street Journal, Oct. 15, 1987]

TRADE-GAP NEWS SENDS STOCK MARKET REELING INTO A RECORD TAILSPIN

Washington and Wall Street are out of step again. And this time it's on trade.

Financial markets took a dive yesterday, panicked by the latest trade-deficit figures. Washington officials took the latest report more calmly.

The turmoil was set off by the Commerce Department's report of a \$15.68 billion deficit in U.S. merchandise trade in August. Although the deficit was narrower than the \$16.47 billion gap in July, it exceeded the forecasts of many in the financial markets.

The financial markets' reaction: The dollar slipped in foreign-exchange dealings, short-term interest rates soared, bond price plunged, and the Dow Jones Industrial Average plummeted in its second record one-day decline in eight days. The markets clearly fear that the Federal Reserve Board is preparing to increase its discount rate—the rate that it charges on loans to member banks.

But in recent days, Federal Reserve officials have gone out of their way to suggest that such fears are misplaced. Both Chairman Alan Greenspan and Governor Robert Heller have said they see no signs of resurgent inflation. Yesterday Fed officials gave fresh indications that a discount rate increase isn't imminent.

And despite the strong market reaction yesterday, Fed policy makers insisted that the trade figures weren't a surprise. Excluding oil, imports were down substantially from the previous month, they note. And although the export dip in August was a disappointment, "the general export trend is clearly up," one official said.

The investor panic triggered by the trade figures is ironic for another reason, government officials and private economists say. They consider the monthly merchandise figures, which aren't adjusted for inflation or seasonal variations, to be one of the least reliable indicators. "It would be a serious mistake to believe these monthly numbers give a good view of the underlying trade picture," said Jerry Jasinowski, chief economist at the National Association of Manufacturers. He and many economists in and out of government contend that rising export volumes are brightening the trade picture and buoying the economy.

Fed chairman Greenspan said in a speech Tuesday that "an extraordinary shift currently under way" in the nation's trade balance is helping revive the nation's industrial sector. He conceded that the improvement isn't showing up in the monthly figures because higher import prices that have resulted from the dollar's decline continue to push up the nation's import bill.

However true that may be, the financial markets now react instantly to the monthly trade figures—the same way they used to react to the money-supply figures, and, in an earlier era, to the consumer price index and the unemployment rate. Yesterday the

markets took one look at the trade figures, and the rout was on.

The Dow Jones average plunged 95.46 points in heavy trading to close at 2412.70. The drop, which worked out to 3.8%, eclipsed the prior record point decline of 91.55 points, or 3.47%, set Oct. 6. However, neither drop ranks among the 100 largest one-day percentage declines in the average.

Yesterday's sharp rise in short-term interest rates, which included a hefty quarter-point on the usually stable prices of three-month Treasury bills, prompted Allen Sinal, the chief economist at Shearson Lehman Brothers Inc., to predict that the Fed may well raise the discount rate as early as tomorrow. The Fed last raised the discount rate just before Labor Day, by half a percentage point to 6%.

In the bond market, prices of several widely traded Treasury issues plunged more than two points, or \$20 per \$1,000 of face amount. As a result, the yield of the latest 30-year Treasury, a bond-market bellwether, soared above 10%.

And in foreign-exchange trading, the dollar immediately slipped more than a pennig against the West German mark on the trade announcement and more than a yen against the Japanese currency. The dollar ended at its lowest levels against both currencies since early in September.

To understand yesterday's savage market reaction, the trade news must be viewed against the backdrop of other Wall Street worries, market observers say. The slide of more than 300 points in the Dow industrial average since its Aug. 25 record of 2722.42 has both resulted from and combined with fears of a new interest-rate spiral. Sharply higher interest rates could derail the economic boom and spark a recession as early as the second half of next year.

Mitchell J. Held, a money and credit analyst at Smith Barney, Harris Upham & Co., said late last week that his reading of recent moves by the West German central bank and Fed Chairman Greenspan suggests that "a coordinated, or semicoordinated, tightening of monetary policies [among the world's major trading partners] could take place within the next few weeks."

Moreover, some in the markets believe that America's U.S. trading partners/creditors at last month's meetings in Washington—particularly Japan and Germany—quietly put their foot down and wrung major, long-term commitments from the American government to defend the dollar through higher interest rates, even if it forces a recession here.

But Fed policy makers paint a quite different picture. They say the discount-rate increase in September was largely a response to the bond market's fears of inflation. A key indicator of those inflation fears, these officials argue, is the steepness of the "yield curve"—the degree to which long-term bond rates exceed short-term rates. Yesterday, however, short-term rates rose faster than long-term rates, and the yield curve flattened. So, the officials say, they see no need to tighten credit further.

INACTIVITY THIS MONTH

And, in fact, there are indications that the Fed hasn't tightened credit further this month. Looking back at September, some market analysts recently detected signs of a tighter policy in the Fed's open-market operations and in the rise of the Fed funds rate, which is the rate banks charge on loans to one another. Technical factors—including the surge of Treasury receipts at the end of the federal fiscal year Sept. 30—

probably masked the full extent of the Fed's tightening last month.

An administration official said investors might take the view that the trade numbers presage higher interest rates, but he said, "That view is unjustified."

The administration's top trade official, Trade Representative Clayton Yeutter, conceded that "so far, the key trading countries have not yet made sufficient progress in correcting the imbalances" that underlie the trade problem, "and the market perceives this." But he added that if trade volume figures continue to improve, "it'll be simply a matter of time before the nominal [actual dollar] figures turn around." He said the next set of volume figures to be watched closely will be those due out next week as part of the report on third-quarter gross national product.

Mr. Yeutter discouraged speculation that the dollar must go lower to right the trade balance. "Exchange rates can only do so much," he declared. Our problem today is not one of price competitiveness. Adjusting exchange rates has no effect on trade flows where the determining factors are quality, service and other things besides price. That is our challenge today."

But if the trade deficit remains stubbornly high, something will have to give: Either the dollar will have to fall further to make U.S. products more competitive in world markets or interest rates will have to rise to attract foreign capital. The administration saw yesterday's market reaction as largely tied to interest-rate fears rather than expectations of a lower dollar.

Treasury Secretary James Baker and other administration economic officials are bound to be questioned on all these topics this afternoon at a previously scheduled economic policy press briefing, following a meeting with President Reagan. Officials said the press session was scheduled at White House request several days ago to highlight trends in the economy, and wasn't a reaction to yesterday's market plunge.

Democrats used the report to blast the Reagan administration's trade policy. Democratic presidential hopeful Rep. Richard Gephardt of Missouri, campaigning in Iowa, released a statement saying, "Until we have an administration that fights for open markets overseas, American exports of manufactured goods and farm products will continue to fall, and the heartland of this country will continue to be left behind."

Senate Majority Leader Robert Byrd said he is troubled by the export drop. "As the U.S. plunged from the world's largest creditor to the world's largest debtor, there has been no sense of administration concern, no sense of urgency," the West Virginia Democrat complained.

In inflation-adjusted terms, the trade deficit in goods and services narrowed in the 1986 fourth quarter and the 1987 first half. The Commerce Department's initial estimate of third-quarter growth, due next Friday, is expected to show a narrowing for that quarter, too.

SEASONAL FACTOR

In addition, economists contend that the trade balance typically deteriorates in July and August; so, the figures might look much better after seasonal adjustment. "This isn't a good number," said Donald Straszheim, president of Merrill Lynch Economics Inc. in New York. But he added, "We remain confident that for the foreseeable future our export volumes will continue to grow at a fairly healthy pace."

Last month, according to the Commerce Department's August figures, the trade deficit shrank against each of the countries with which the U.S. ran the largest deficits last year—Japan, Germany, Taiwan, Korea and Hong Kong. The deficit with Japan—\$4.88 billion, down from \$5.07 billion in July—was the lowest in the past six months.

Also, the overall deficit in manufactured goods narrowed to \$13.28 billion from \$14.47 billion in July. That improvement was entirely due to lower imports; manufactured exports fell for the third consecutive month.

The report showed that the dollar value of exports fell 3.7%, while the value of imports dropped 4.2%. The drop in exports followed a 0.6% decline in July. In addition to the seasonal factors, Mr. Jasinski said the decline included a big drop in aircrafts and parts, a category that varies widely from month to month. Moreover, he and other analysts cited recent gains in industrial employment and production as indications that U.S. companies are increasing shipments overseas.

The import decline, which followed a 1.8% rise in July, might have been even sharper if oil imports had been at more normal levels, analysts said. July and August oil imports reflected temporary inventory building in anticipation of price increases and supply disruptions in the Persian Gulf.

At the same time, the import total probably was reduced by the unrest in South Korea. The trade deficit with Korea narrowed to \$902.5 million from \$1.14 billion in July.

Mr. Jasinski said that notwithstanding the unusual factors, the August decline suggests that "U.S. consumers are beginning to substitute domestic for foreign products."

Still, economists in and out of government had expected the dollar's decline to have brought the merchandise deficit to much less than \$15.68 billion by now, and the August report was widely viewed as a negative indicator. Robert Dederick, chief economist at Northern Trust Co. in Chicago, said the figures suggest that "the improvement in the trade balance that was occurring even in nominal terms seems to have stalled. That is an unsatisfactory situation."

Mr. Straszheim cited U.S. deficits with Taiwan and Korea, which he said have been deteriorating this year despite improvement in August. "We're making progress against the Japanese but losing ground against Taiwan and Korea," he said.

Exports in August fell to \$20.22 billion from \$21.01 billion in July. Manufactured exports fell to \$13.67 billion from \$13.87 billion.

Overall, imports dropped to \$35.91 billion from \$37.48 billion, with manufactured imports falling to \$26.95 billion from \$28.34 billion. The value of imports of petroleum and related products rose 1.1% to \$4.7 billion after increasing 15.7% to \$4.65 billion in July.

[From the Washington Post, Oct. 15, 1987]

TRADE GAP BATTERS MARKETS

(By Stuart Auerbach)

The Dow Jones industrial average plunged 95 points and a key interest rate surged past 10 percent yesterday after the government issued a disappointing report on the nation's trade performance in August.

The financial markets were sent reeling by a Commerce Department announcement that the August trade deficit narrowed by only \$800 million, to \$15.7 billion, from

July's record of \$16.5 billion. Many economists had expected a greater decline, to between \$14 billion and \$15.5 billion.

Stock and bond prices and the dollar all fell sharply as the markets interpreted the report as meaning that the dollar would have to decline further to bring the trade deficit down.

As the dollar moves lower, interest rates must rise to continue to attract foreign investment. Higher interest rates in turn raise fears of rapid inflation and drive investors out of the stock market.

The Dow Jones industrial average, the most widely watched stock market barometer, dropped a record 95.46 points to close at 2412.70. The Dow, which fell 91.55 points on Oct. 6, is now about 310 points, or 11 percent, below the peak of 2722.42 set in late August, and some Wall Street analysts said that the five-year-old bull market is over.

In the bond market, where falling prices cause yields to rise, the Treasury's 30-year bellwether issue fell 2½ points, raising the yield to purchasers to 10.14 percent—the first time it has exceeded 10 percent since November 1985.

Further discouraging economists and the financial markets was the fact that the August trade deficit, though smaller than July's, was still the third highest on record, and came with an \$800 million decline in exports.

Moreover, the trade figures for the first eight months of the year indicate that the 1987 deficit will be even higher than last year's \$156.1 billion level instead of receding, as Reagan administration officials had predicted.

Last spring Treasury Secretary James A. Baker III forecast a \$15 billion to \$20 billion improvement in the trade deficit this year, but after two months of decline the deficit began climbing again in May.

Administration officials were more cautious yesterday, but put the best face on the matter by citing improvements in "the real trade balance," an increase in the volume of exports as measured by dollars adjusted to reflect a constant value and seasonal changes.

But congressional democrats, pressing for presidential approval of tough trade legislation, attacked Reagan administration trade policies. "In a year when the trade deficit is supposed to be declining, it is \$1.7 billion higher than the deficit of August a year ago," said Senate Finance Committee Chairman Lloyd Bentsen (D-Tex.).

"When it comes to trade deficits, America is in a class by itself," added Senate Majority Leader Robert C. Byrd (D-W.Va.).

"The trade figures are still bloody bad," said Stephen Dakin, foreign exchange trading manager in New York for Union Bank of Switzerland. "Where does it all stop? They [administration officials] keep saying they are going to get better, but they haven't yet."

David D. Hale, first vice president and chief economist for Kemper Financial Services in Chicago, added, "Wall Street is beginning to face the fact that the American trade deficit may not come down without a recession."

He suggested a further fall, in the value of the dollar to about 130 Japanese yen over the next 12 to 18 months. "They [currency traders] recognize it has to go lower," Hale said.

"For the bond and stock market, you have a day of disaster," said Allen Sinai, chief economist for Shearson Lehman Bros. Inc., who had predicted a trade deficit of \$15.5 billion, close to the actual figure.

Sinai said the markets fell because of "not irrational fears" that the continued high trade and budget deficits present "a downside risk for the dollar" that could lead to higher interest rates and greater inflation.

"No matter how you cut it," Sinai said, "there is still not a clearly definable trend of improvement in merchandise trade. The big-picture view is we still have this trade deficit. There is not a significant trend toward improvement yet."

But Jerry Jasinowski, chief economist of the National Association of Manufacturers, said the trade figures "are a bit better than the market is showing," reflecting "the way financial markets and the industrial economy have become decoupled and are moving on somewhat different paths."

Both Jasinowski and Sinai agreed that there are positive elements in the August trade figures that were ignored by the financial markets.

Jasinowski, for instance, pointed to reports from NAM members showing that the manufacturing sector of the economy is rebounding from a deep slump, and noted that improvements in exports are spurring a modest firming of growth. He said there has been a \$30 billion improvement over the past nine months in real net exports, which has improved the nation's economic growth.

He added, though, that U.S. manufacturers "are just going to have to be more aggressive" in international markets if they want to win sales.

Without a \$600 million decline in overseas sales by U.S. aircraft makers, he said there would have been a \$400 million improvement in manufacturing exports in August.

Sinai also pointed to "encouraging aspects" in the August numbers, including a \$1.4 billion drop in imports of manufactured products and a lessening of the deficit with all but three major trading partners—Canada, from \$645 million in July to \$939 million in August; Brazil, from \$87 million to \$526 million, and Venezuela, from \$207 million to \$272 million.

The \$4.9 billion deficit with Japan, down from \$5.1 billion in July, remained the United States' largest.

MAJOR FRAUD ACT OF 1987

(Mr. HUGHES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUGHES. Mr. Speaker, today, I am introducing the Major Fraud Act of 1987. The problem that this bill deals with is usually characterized as white collar crime. Unfortunately, this area of criminal activity is often neglected both at the Federal and State levels. I believe that this neglect is a great mistake. Prosecution of white collar crime is not only demanded in the interest of justice, but it can often result in substantial cost savings to the public in the form of reduced losses to fraud in Government contracting.

A striking example of this phenomenon occurred in the late seventies and early eighties when the Department of Justice participated in wide-ranging prosecutions of bid rigging by highway contractors throughout the United States. As a result of this concentrated effort there were prosecutions in over

15 States which produced indictments of over 180 companies and 200 executives. Numerous jail sentences and fines totaling \$41 million resulted from this effort with a conviction rate of over 90 percent. In early 1983 the Wall Street Journal, in a followup story, reported that the cost of constructing highways in the Nation had fallen significantly, in some cases by as much as 25 to 30 percent below the engineering estimates, and this was attributed, in part, to this massive law enforcement effort which had disrupted an illegal way of life in the highway construction business. Highways, as everyone knows, are paid for by the taxpayers, and it was satisfying to see that these extremely important projects become less expensive. This process added credence to the theory that the deterrent power of the law when enforced can be very strong, especially in the area of white collar crime.

I believe the Major Fraud Act of 1987 can assist in an even more important area, Government procurement, and specifically our increasing expenditures in the national defense area.

As a consistent advocate for a strong defense it is particularly aggravating to me to read about the inefficiency and waste in our present system. I need not reiterate here the litany of successive scandals in spare parts, overhead overcharges, malfunctioning equipment, and so forth, that have been exposed in testimony before Congress and in the media in the last few years. Congress has made progress in this area by providing the Government with some new tools such as the False Claims Amendment Act of 1986, the Program Fraud Civil Remedies Act, and the Anti-Kickbacks Enforcement Act.

What we need now, however is a new emphasis on the criminal law side of the ledger in the hope that we can replicate the earlier successes in the highway area. The Major Fraud Act of 1987, I suggest, will go a long way toward accomplishing this. The bill creates a new procurement fraud offense. In situations involving \$1 million or more, the time-tested language in the Mail Fraud Act would be applied, with a new enhanced penalty of up to 7 years imprisonment upon conviction. The bill also would provide an extension of the statute of limitations in which prosecutions could be initiated to 7 years, rather than the normal 5 years, to accommodate the extensive investigation often required in this type of fraud. Increased fines based upon double the object of the fraud—for example, a \$20 million fine in the case of a \$10 million contract—are permitted rather than existing criminal law which is couched in terms of pecuniary gain to the defendant or loss to the Government. Finally, the bill es-

establishes a reward system under which up to \$250,000 can be paid from the criminal fine to individuals who provide information leading to convictions under this act. This will add incentives to individuals, particularly employees of Government contractors, who are privy to illegal activities to volunteer information to Government authorities. To date, such persons have had little to look forward to for their own good citizenship efforts other than reprimandations by their employers, which frequently could include the loss of their jobs.

Criminal law enforcement is not simply a matter of punishing wrongdoers. It helps society clarify the standards of conduct that we expect to be upheld by businessmen, employees, Government workers and everyone else. We must remember that the crime problem and the need for law enforcement is not just a matter of violent street crime or drug trafficking. The prosecution of white collar crime, which silently robs millions of dollars from all of us, must remain a high priority for Federal law enforcement. I believe the Major Fraud Act of 1987 will assist and encourage appropriate law enforcement in the Nation's procurement business.

□ 1515

THE BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. McMILLAN] is recognized for 5 minutes.

Mr. McMILLAN of North Carolina. Mr. Speaker, I am outraged. Holding a majority in the Congress is one thing, but the Democrat leadership has just displayed the most arrogant abuse of power.

I'm referring to the treatment of a critical issue by the Judiciary Committee of the House. The balanced budget amendment to the Constitution has 237 cosponsors, 19 more than needed to pass the House. The American people, by an overwhelming majority, favor a mandatory balanced budget to solve the problem of overspending by the Congress. In my own district, 85 percent of the constituents favor the amendment.

Late last night, the Democrats of the Judiciary Committee announced their decision to hold hearings on the balanced budget amendment this morning at 9:30 a.m. They would hear the opinions of four individuals who oppose the amendment and from no one who supports it. Only at the last minute did the committee allow one person to speak in favor.

The action by the House Democrat leadership on this critical issue is a direct slap in the face to the 237 cosponsors of the bill, a slap in the face of the American people, and a slap in the face of the democratic principles we profess to abide by in this House.

Mr. Speaker, I demand, and I hope 236 other Members demand, that you allow the balanced budget amendment to the Constitu-

tion to come to the floor immediately for a full and fair debate. The American people deserve this much from the ruling Democrats.

AMERICANS CONTRIBUTE TO THE STATUE OF LIBERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, Americans are among the most generous people in the world. Since donation boxes were first set up on June 20, visitors to the Statue of Liberty have voluntarily contributed more than \$120,000. This outpouring of support shows how wrong the Department of the Interior had been to charge admission fees to Lady Liberty.

In February of this year, the Department of the Interior began to charge an admission fee to visitors at the Statue of Liberty. This fee was imposed even though millions of dollars had been contributed by the American public in the previous year to help restore the Statue of Liberty and Ellis Island. The sale of commemorative coins by the U.S. Mint last year, under legislation which I sponsored, raised \$83 million to help restore and maintain the Statue and Ellis Island.

Outraged over the Interior Department's actions, Congress moved quickly to prohibit the imposition of the admission charge. Legislation prohibiting the fee was passed on June 19.

The following day, the Interior Department began to collect donations at the Statue of Liberty. To date, visitors to the Statue of Liberty have voluntarily contributed over \$120,000 as they visited the statue. This free giving is a sign of the love of the American people for Lady Liberty. It shows that Americans will give freely and generously in the cause of this symbol of America.

Rather than forcing Americans to pay to visit this most important of American symbols, the Interior Department has learned that Americans are more than willing to pitch in for the 100-year-old statue.

The Statue of Liberty is one of the best recognized symbols of American freedom. The attempt by the Interior Department to extract an admission fee from those who visited her was extraordinarily misguided. Had Interior Department officials visited the statue they would have been able to read that Emma Lazarus' poem says "give me your * * * poor," not "give me a buck."

The sad thing about the Interior Department's attempt to charge admission was that it showed little understanding or regard for American's tradition of generosity. In the year before the fee was charged, Americans willingly sent tens of millions of dollars to help restore the statue. They responded out of heartfelt concern. The generosity of visitors to the statue after the abolition of the admission fees shows that Americans continue their love affair with Lady Liberty. I hope that Interior Department officials have learned to have more trust in the American people.

THE 100TH ANNIVERSARY OF FOUNDING OF METLAKATLA COMMUNITY IN ALASKA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska [Mr. YOUNG] is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today begins the commemoration of the 100th anniversary of the founding of the Metlakatla community in Alaska.

I regret that congressional duties here preclude my being with them today, but I do want to say a few words in heartfelt commemoration of this great accomplishment.

Just as the Pilgrims who landed on Plymouth Rock in 1620 would not suffer the indignities heaped upon them by religious despots, so would not their illustrious forebearers. Though they had through their industry and intelligence built a prosperous and self supporting community, the Metlakatlas would not foresake their religious convictions. They determined to seek a new home rather than submit to religious dogmatism! Accordingly, the community moved from British Columbia to Annette Island in Alaska. The elders appointed, Father William Duncan, an Anglian missionary, to plead their case for religious freedom before President Grover Cleveland.

The President in his wisdom welcomed the new Pilgrims to Alaska. Under the protection of the United States, a new settlement known as New Metlakatla was founded on Annette Island. These hardy pioneers quickly fashioned new homes from the forests and fished the fertile waters around the island. These 19th century Pilgrims proved themselves to be a valuable addition to Alaska and to the United States.

Then, a ruling of the Attorney General held

That the President of the United States lacked authority to establish a reservation for these Indians in the public domain without congressional sanction because they were aliens born outside of the boundaries of the United States people.

Thank God there was no Attorney General on Plymouth Rock, or at Jamestown, or New Amsterdam. Some things never change.

Congress moved into the breach and by an act of March 3, 1891 created a reservation for "these new Americans and such other Alaskan natives as might join them." In 1934, Congress granted collective naturalization.

In the past 100 years since the founding of the community in Alaska, the Metlakatlas have distinguished their community in many ways. Back in the 1920's, the abundant hydroelectric potential was harnessed to provide power for industry, warmth for homes, and illumination for the schools. Fol-

lowing in the footsteps of these pioneers are our engineers of today who have recently installed and dedicated a generator which is state of the art and which promises sufficient clean, dependable power to encourage the development of the islands other resources.

Certainly, this community can be proud of its economic accomplishments. In conjunction with the development of hydropower have been the establishment of a fish hatchery, cannery, and wood processing plants.

Early on the early settlers recognized the richness of the abundant resources of the sea and harvested them. They also had the foresight to realize that these blessings were exhaustible and could not be continuously exploited. Therefore with admirable foresight, blueprints for a hatchery were carefully drawn and a plan for implementation agreed upon by the community. I am very proud to have been able to provide assistance in Congress to the community as it procured funds to turn these blueprints into reality. Today the hatchery ensures that future Metlakatians will be able to continue to harvest the product of our waters; furthermore it makes a valuable contribution to the fisheries of all Alaska and to those of the entire Pacific coast.

Vision was not limited to the bounties of the seas. It was realized that people needed employment after the seasonal run of salmon. Early on the forests on the Annette Islands provided employment; but supplies of timber were exhaustible and replenishment is a slow lengthy process. Thus with wisdom, partial payment for sales of timber was taken in the form of a wood processing plant. The forests of the Tongass are an almost unlimited source of raw materials and the plant provides continuous employment for many of people.

Community members are indeed fortunate to have selected admirable leaders in the past. Leaders who possessed the wisdom and vision to harness the bountiful blessings which God has bestowed upon this fertile land. May this generation and those of the future continue to guard jealously this precious heritage and provide for its renewal through hatcheries, reforestation, and prudent harvesting practices.

Through hard work, intelligent management, and vision the Metlakatians have prospered during this first 100 years. This generation is the beneficiary of policies adopted by the wise men of old. Let us remember them and in their dedication to ensure that their heritage—freedom of religion, democracy, economic viability, and the pursuit of happiness—be passed on to our children and grandchildren.

Mr. Speaker, we owe congratulations to the community on its magnificent

achievements! Its accomplishments are appreciated in Alaska and throughout the United States. I am proud to be counted as one of the community and I pledge my continued support as your representative in Washington.

THE SMOKING AND HEALTH ADVERTISING ACT OF 1987

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Weiss] is recognized for 5 minutes.

Mr. WEISS. Mr. Speaker, I am today introducing legislation which would add to the vigor of the campaign to educate the public about the hazardous effects of cigarette smoking. The Smoking and Health Advertising Act of 1987 would require tobacco companies to spend an amount equal to or greater than 5 percent of their advertising and promotional budget on public health messages detailing the hazardous effects of smoking.

Specifically, this bill amends the Internal Revenue Code of 1986 to disallow the deduction for advertising or other promotion expenses with respect to the sales of tobacco products unless the taxpayer—the tobacco companies—pays for the specified amount of advertising on the health effects of smoking. All advertisements would be prepared by, or approved by the Secretary of Health and Human Services [HHS] so as to assure their quality.

I strongly believe that this legislation is a fair way to ensure that critical funding is provided for public health advertising without increasing our huge Federal deficit. To those of my colleagues who may question this approach, let me remind you that requiring the tobacco industry to sponsor health messages is not a new concept. Since 1965, Congress has enacted legislation requiring the tobacco industry to print health warnings on cigarette packs and advertisements. In fact, in 1984, Congress enacted the Comprehensive Smoking Act, which requires cigarette companies to print detailed descriptions—on cigarette packs and advertisements—of the hazardous effects of smoking.

Let me take a moment to explain why it is critical that we take these measures to strengthen the public health campaign on smoking.

Each year approximately 350,000 people die of smoking related diseases. The tragedy is these premature deaths could be prevented. Despite overwhelming evidence that cigarette smoking is a grave health hazard, people continue to smoke and young children continue to initiate the deadly habit.

Encouraging new smokers, especially children, women, and minorities, has become increasingly important for the tobacco industry as more and more smokers either quit, or die of smoking related causes. Roughly 2.5 million Americans must start smoking each year to maintain the size of the smoking population.

Unfortunately, the decision to smoke is usually made at an age when peer pressure eclipses rational, educated decision making. Studies show that 60 percent of all smokers start smoking before they are 14 years old

and 90 percent begin to smoke before the age of 21. Though a variety of psychological and sociological factors may influence an individual's decision to smoke, there can be no doubt that the highly visible advertising and promotional campaigns launched by the tobacco industry influence prospective smokers.

Cigarettes are one of the Nation's most heavily advertised consumer products. In addition to purchasing ads in magazines, newspapers, and on billboards, cigarette companies vie for the public's attention by sponsoring entertainment, cultural, and sporting events.

While the public is bombarded with this prosmoking campaign, antismoking and public health messages are virtually invisible. Numerous studies have indicated that counteradvertising is a highly effective way to discourage smoking; however, the resources to produce, distribute, and most importantly, purchase magazine space or television time are woefully inadequate. The approximately \$5 million spent each year on counteradvertising stands in stark contrast to the roughly \$2.5 billion spent annually by the tobacco industry on advertising and promotion.

The counteradvertising movement has not always been as weak and poorly financed as it now is. In 1967, the Federal Communications Commission [FCC] ruled that the fairness doctrine—which at the time was enforced and required that broadcasters afford a reasonable opportunity for the presentation of contrasting viewpoints on controversial issues of public importance—be applied to cigarette advertising on television and radio. If no other private or public source was available to finance the broadcast of opposing views the broadcaster was obliged to air those views free of charge.

A highly visible antismoking campaign was launched as a result of the FCC ruling. At its peak, the fairness doctrine antismoking messages received 1 minute of airtime for every 3 minutes of smoking advertising. Roughly \$200 million—in 1970 dollars—in commercial air time was donated to the antismoking campaign.

It is estimated that during the 4 years that the fairness doctrine antismoking ads were aired per capita cigarette consumption declined by 10 percent. I believe that this statistic is convincing testimony to the fact that counteradvertising is effective.

Ironically, Congress may have done more harm than good for the antismoking movement when it passed the Public Health Cigarette Smoking Act of 1970, which banned cigarette advertisements from television and radio. When cigarette ads were removed from the broadcast media in 1971, the fairness doctrine messages disappeared with them. Shortly thereafter, per capita cigarette consumption rose for the first time in 4 years.

I strongly believe that educating America's young people about the harmful effects of cigarette smoking must be one of our top priorities. Our failure to reach American youth is evidenced by the fact that, according to studies, approximately 40 percent of high school seniors do not believe that there is a great health risk in smoking. It is clear that we must do more to convince young people that smoking can kill them.

The first step we can take is to revitalize the counteradvertising movement. The legislation I have today introduced will do that.

In addition to the Smoking and Health Advertising Act, I am also today introducing a resolution, expressing the sense of the House of Representatives that the Federal Government should encourage both electronic and print media to air or print more antismoking advertisements as a public service.

Each year over \$22 billion is spent on health care for smoking related disease, including \$4.2 billion through Medicare and Medicaid. Though these costs are staggering, they pale in comparison to the emotional price paid by those dying from smoking related disease and their families and loved ones.

It is clear that the time has come for a renewed Federal commitment to eliminating smoking in the United States. I believe the bills I have introduced will go a long way toward this goal by providing a two-tiered approach to bringing information about the hazards of smoking to the American people. We can save money, but more important—we can save lives.

I urge my colleagues to support these two pieces of legislation:

H.R. 3503

A bill to amend the Internal Revenue Code of 1986 to disallow the deduction for advertising or other promotion expenses with respect to sales of tobacco products unless the taxpayer pays for a certain amount of advertising on the health effects of smoking

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smoking and Health Advertising Act of 1987".

SEC. 2. DISALLOW OF DEDUCTION FOR ADVERTISING OR OTHER PROMOTION EXPENSES WITH RESPECT TO SALES OF TOBACCO PRODUCTS UNLESS TAXPAYER PAYS FOR A CERTAIN AMOUNT OF ADVERTISING ON THE HEALTH EFFECTS OF SMOKING.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 280H. TOBACCO AND TOBACCO PRODUCT SALES PROMOTION EXPENSES.

"(a) GENERAL RULE.—Except as provided in subsection (b), no deduction shall be allowed under this chapter for any tobacco and tobacco product sale promotion expense.

"(b) EXCEPTION WHERE TAXPAYER PAYS FOR CERTAIN ADVERTISING.—

"(1) IN GENERAL.—Subsection (a) shall not apply to any taxpayer for any taxable year if—

"(A) the amount paid or incurred by the taxpayer during the taxable year with respect to qualified health-awareness advertising, exceeds

"(B) 5 percent of the tobacco and tobacco product sale promotion expenses of the taxpayer for the taxable year.

"(2) QUALIFIED HEALTH-AWARENESS ADVERTISING.—For purposes of paragraph (1), the term 'qualified health-awareness advertising' means any advertisement which—

"(A) is for purposes of informing the public on the health effects of smoking or using smokeless tobacco products, and

"(B) is prepared by, or approved by, the Secretary of Health and Human Services, in consultation with nationally recognized cancer, heart, and lung associations.

"(c) TOBACCO AND TOBACCO PRODUCT SALE PROMOTION EXPENSE.—For purposes of this section—

"(1) IN GENERAL.—The term 'tobacco and tobacco product sale promotion expense' means any amount otherwise allowable as a deduction under this chapter with respect to—

"(A) any advertisement primarily for purposes of—

"(i) promoting the sale of tobacco and tobacco products, or

"(ii) informing or influencing the general public (or any segment thereof) with respect to tobacco and tobacco products, or

"(B) any of the following incurred or provided primarily for purposes described in subparagraph (A)—

"(i) travel expenses (including meals and lodging),

"(ii) any amount attributable to goods or services of a type generally considered to constitute entertainment, amusement, or recreation or to the use of a facility in connection with the providing of such goods or services,

"(iii) gifts, or

"(iv) other promotion expenses.

Such term shall not include any amount paid or incurred with respect to any qualified health-awareness advertising (as defined in subsection (b)(2)).

"(2) TOBACCO AND TOBACCO PRODUCTS.—The term 'tobacco and tobacco products' means any small cigarette, large cigarette, cigar, pipe tobacco, tobacco which may be rolled into a cigarette, or smokeless tobacco product, including snuff and chewing tobacco.

"(d) REGULATIONS.—Within 90 days after the date of the enactment of this section, the Secretary shall prescribe such regulations as may be necessary to carry out the purpose of this section."

(b) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 280H. Tobacco and tobacco product sales promotion expenses."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act in taxable years ending after such date.

H. RES. 286

Resolution Expressing the sense of the House of Representatives that the Federal Government should encourage both electronic and print media to air or print more antismoking ads as a public service.

Whereas over 350,000 premature deaths each year are caused by tobacco-related illness;

Whereas 180,000 or more deaths in the United States each year are due to lung cancer which is far more than the number of deaths caused by AIDs or any other disease;

Whereas nonsmokers are at risk as well as smokers as shown in a report by the Surgeon General that an estimated 2,400 lung cancer deaths annually can be attributed to passive smoking;

Whereas smoking related diseases cost the United States health care system an estimated \$22,000,000,000 yearly and the Federal Government pays approximately

\$4,200,000,000 yearly for smoking-related health care;

Whereas a smoke-free society would improve the health and environment of all Americans;

Whereas massive and readily accessible education as to the deadly effects of cigarette smoking may discourage young adults from beginning to smoke and may encourage smokers to stop; and

Whereas television, radio, and magazines are the major forms of communication nationwide: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Federal Government should strongly encourage both print and electronic media to voluntarily print or air public service messages describing the deadly effects of cigarette smoking and that such an action would be a critical step in protecting the health of all American citizens.

ASSISTING CENTRAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. BALLENGER] is recognized for 60 minutes.

Mr. BALLENGER. Mr. Speaker, my wife and I just got back from a trip to Nicaragua over this past weekend and we were involved in helping La Prensa and also Radio Catolica to get reorganized.

I would like if I may to tell the people here the reason that we have been involved in the last 15 to 20 years in helping the people of Central America. My father-in-law in the early 1970's retired from his business and joined the International Executive Service Corp. His first assignment was in San Salvador, El Salvador, and he was requested by a businessman there to come down and help out in the reorganization of his business. The gentleman has a very profitable business but he was scared of competition from the Japanese.

He went down and after he had been there several weeks he called me up on the telephone.

For those who do not know, I am a businessman and a manufacturer. But he called me on the telephone and asked me to come to San Salvador and assist this gentleman in the organization of his business.

My wife and I went down there. We did the reorganization of his business, inventory controls, cost accounting systems, all these various and sundry things that are necessary, and we became very good friends with this young man in San Salvador. He came to visit us back in the United States in North Carolina where I live. Then we were invited back to Central America for the marriage of his son in which we became witnesses. He is a Catholic from that country. While we were there just to show his hospitality and teach us more about Central America, he rented a van and at that time there were no guns being fired, it was peaceful there, but we drove all over San

Salvador, all over Guatemala meeting his friends. He had many family all over both countries.

That was the end of our sojourn down there at that time until in 1977 there was a major earthquake in Guatemala City. My wife heard about this, she heard a church group was going back to Central America to build a hospital in Sensuntepeque in the mountains of Guatemala. She joined the crowd and went down there and worked for one summer with a group of Charlotte, NC, people. She worked for approximately 6 weeks and then came back. The group from Charlotte decided they would no longer go back, so my wife organized a group from Hickory, NC, and she went back and for 5 years she went down and made arrangements for whatever was necessary and they actually built a hospital from the ground up in that particular area.

I am a very good, as we call it, scrounger, and I got the necessary medical equipment to completely furnish that hospital.

We found another hospital in downtown Guatemala City which is for poor people, for poor Indians, and we did the same thing again. We got the necessary equipment to help build and equip that hospital.

Meanwhile it turned out that one of the Arab friends of my previous friend in San Salvador was head of the volunteer fire department in Guatemala City and he said that since we were doing such a good job on medical supplies could we help with a fire truck?

We got him a fire truck. At one time Guatemala City, a city of 1½ million, had 12 fire engines. There were six that were destroyed in the earthquake, so it was very important that we get this fire truck, and we got it.

We shipped the fire truck down to him and then he said that since the water lines were destroyed at that time could we get him a water tanker or water tankers to haul water to the fire, and also to haul drinking water to the poor Indians.

We did this and while I was involved in this, a gentleman from Rowan County in North Carolina called up and asked would I like a hospital.

It turns out that it was one of the many hospitals fixed up by John F. Kennedy after the Korean War when we thought the Russians were going to be bombing us, and they are called package disaster hospitals, and they were put together and located all over the United States. At one time there were 35 of those in North Carolina.

I got this one and we gave it to the people of Guatemala. The volunteer fire department, the bomparo, shall we call them, and they took it and broke it up into five different clinics. Those clinics now are in Guatemala City. If you happen to go there you will see a sign over the door that says,

"The Donna Ballenger Clinic." They named them after my wife.

Meanwhile I was involved in politics, as you might gather, and I helped the Reagan campaign in North Carolina and was invited to the White House to attend a briefing on the various problems they are having getting supplies to Central America in general and specifically to San Salvador.

So I spoke to the Secretary of State about would he like to have one of these hospitals, and he did not believe me that it was possible to do this, but he was interested enough that he allowed my wife to go to San Salvador, speak to the Ambassador there, and we got a military adviser who came back and examined the hospital and they found it very valuable. They insured it for \$1 million. We persuaded the Southern Railroad to give us a trailer. We then had a patriotic truck driver truck it to Ashboro in North Carolina where we got volunteers to load it up. We loaded the truck, put it on the train, it was sent to New Orleans where it was then sent to San Salvador where it was the beginning of a new hospital in San Miguel down near the Nicaraguan border, and it is being used at the present time.

This was all done basically by my wife and myself. We had no assistance from the Federal Government except for delivery of the hospital from New Orleans to San Salvador.

This gives to some extent the basic that we were involved in helping in the area of Central America and this is over a period of 10 to 12 years and this is the reason that I have interest as far as Contra aid, and whatever is going on in Nicaragua.

I had never been to Nicaragua before but I had been many times to San Salvador, Guatemala, and Honduras.

About 2 weeks ago there was a group of us freshmen Congressmen that were invited to go on a Codel trip to Nicaragua and I happily accepted. We went down and visited Costa Rica, Salvador, Honduras, and we also visited Nicaragua. While we were there we were fortunate enough to meet with Cardinal Obando y Bravo, who in my considered opinion and probably the considered opinion of most people that know, is probably the most respected gentleman in Central America. He is the head of the Catholic Church in Nicaragua.

We sat down and talked with him and strangely enough that very day the Sandinistas decided to open La Prensa, or allow La Prensa to be opened. As we were talking to the cardinal he said he thought seriously that Radio Catolica would probably be allowed to open, and he was quite sure that since it had not been used in a year and a half that the tubes would not work. The Sandinistas had not

even allowed him to turn on the power to find out if the tubes would work.

So what we did is, at his request, we came back to the United States and actually called a friend of mine, who happened to be president of Jefferson Standard Broadcasting in Charlotte, NC, and said if the cardinal gets permission to open the radio station and requests the aid, would they allow us or assist us with engineering to help us out down there.

I know absolutely nothing about radio stations, but luckily for me Mr. Wally Jorgenson, president of that organization, was kind enough to say, "yes, he would." Probably 2 days later we received word that the cardinal's station had been allowed to open and that he needed help.

I was lucky enough to be allowed by Mr. Jorgenson to take with me his engineer, a fellow named John Buffalo, from San Diego, CA, and also an engineer consultant from Miami, Luis Endara. Before we left we knew there had to be spare parts and Endara was the one in charge of getting these parts in Miami. Luckily for me he had a fund raising drive amongst the Nicaraguan community in Miami.

They had raised a certain amount of money and I guaranteed the rest of the costs of the parts for that radio station.

We left here last Friday and flew to Miami where we met the two engineers and Mr. Luis Endara brought to us eight large cartons of parts for this radio station.

We were worried about whether the Sandinistas would allow us to bring the radio parts into the country so we used my stencil, because I was traveling under a diplomatic passport at my own expense but under a diplomatic passport. We used that for what is called protection that we have through our Government. We stenciled my congressional name all over the boxes and flew down to Nicaragua.

We surprisingly had no difficulty going through Customs and we took those eight cartons of parts and loaded them up and took them to the radio station. That was on Friday night.

On Saturday morning the engineers got together and I helped a little bit and I am not of much use as far as radio stations are concerned, but we got together and they completely rebuilt the broadcasting unit in downtown Managua. That took all morning.

In the afternoon we drove about 15 or 20 kilometers out into the boon-docks and started to work on the transmitter.

□ 1530

It turns out that the transmitter was the major problem that we had; with all the parts we had it took them maybe 5 or 6 hours to put the parts in

and then we were ready to go. By the way, the radio station, when it was allowed to reopen, originally had been designed as a 10-kilowatt station, but it was only operated as a 1-kilowatt that kicked out every 10 or 15 minutes because of the electricity and the problems they had there. When we got through with the parts that we thought were ready to go, we threw the switch and it kicked out immediately. We went over the whole thing again, set it up and threw the switch and it kicked out again. Friday night—Saturday night about 11 o'clock we give up and went back into town. But the engineer, John Buffalo, got on the telephone and called another engineering friend of his in San Diego, CA, and they brainstormed for about an hour as to what they could possibly do. Luckily for us we went back the next day; with what they had decided in 20 minutes they did the repair work that was considered important, we threw the switch and Radio Catolica went on the air Sunday morning and was continuously on the air all day. With some tuning up we got the radio station working. It is up to 7 kilowatts now.

My friend from Miami brought one of these telephone jacks and plugged it into the station there so that he could receive phone calls coming in requesting music and the like. He received phone calls from the Costa Rican border, saying it was coming in loud and clear, clearer than it ever had before, he received phone calls from the Honduran border where they said it was coming in clearer than ever before.

So I think we did a very constructive job. We still have possibly 8 to 10 more tubes that we have to get for them and send down to them. This whole cost of repair is going to be I think between \$35,000 and \$45,000. But like I say, the Nicaraguans are working to raise money in Miami, the Nicaraguans here in Washington, the community is working to raise money. I have gotten the National Association of Broadcasters to continue to guarantee some assistance. I have the North Carolina Association of Broadcasters to help out and with any kind of luck we will be able to pay this off in a couple of months.

To my way of thinking I felt like I was probably doing one of the most constructive things I ever did. Some people here may know I have been a pro-Contra supporter, a strong supporter of democracy in Nicaragua and I think it is the duty of those of us who have the capabilities or the ability or the connections to be able to assist in any way, shape or form the Nicaraguan people to receive democracy. I think Radio Catolica and the cardinal are two of the things that are most important as far as being able to carry this out.

At the same time, we visited, in the same CODEL, we visited Mrs. Chamorro at La Prensa and Mrs. Chamorro was explaining to us the various and sundry difficulties. Even though her paper had been allowed to begin operation, it had not been in operation for 1½ years and she was not sure as to what her needs would be. She said she would put together a list.

So when we went back this past weekend, we went to Mrs. Chamorro and she took us through her printing plant. I am in the printing business myself and I know what a really good operation looks like.

Mr. Speaker, their equipment is in need of assistance. They have probably 20-year-old composition equipment. There are six of these little CRT's on which you type and feed the story into the thing, she had six, there are two left. There is one that is being cannibalized and the other three are gone. She has a very difficult time turning out her newspaper. I do not know what we can do about that. I have called on my friends at Knight-Ridder, also the Washington Post and the New York Times to see if it is possible that they might have equipment. This is old equipment, Mr. Speaker, and I do not think there is any need to give the very new equipment that is available at a very high expense in this country, because her employees would have to be completely retrained to do this. So at the present time we are trying to get exactly the same equipment that she has been using for the last 10 years and take that back down to Nicaragua, because even though we have got the cardinal's radio station on the air and we will be able to deliver sermons, he has been told and it has been his policy in the past that there will be no political broadcasts on his radio station. Mrs. Chamorro is a different thing. Mrs. Chamorro is not only a lovely lady, but a very tough lady. The fact is when Ortega came to offer her freedom of the press he said, "We will give you the right to operate your newspaper, but with limited censorship." Mrs. Chamorro said, "No way. I will not accept it." Later he came back and he said, "Well, Mrs. Chamorro, we will offer you the opportunity to operate your radio station on the basis of self-censorship." Mrs. Chamorro, again being the lady that she is, said, "I am sorry, we refuse to accept this." So finally Mr. Ortega came back a third time and said, "We will give you complete freedom of the press, you can have complete freedom of the press at the present time." That is what Mrs. Chamorro is doing her best to do now.

When I was down this past weekend not only was her composition room in dire straits but I have a couple of copies of her newspaper here, La Prensa, printed this week, this past week. One of the great difficulties

that you have in Nicaragua is that their money is not worth anything. If you were to send the money, suppose you sent them \$100, it has to go through the national banks and at their exchange rate, the Government exchange rate of 7,500 of these cordobas to each dollar, that is what they would give you, 7,500 cordobas for each dollar. But the actual black market rate is 15,000 cordobas to the dollar. So every dollar that is to go through their Government banks, you lose half of the money that you have invested.

So it has been our suggestion and also Mrs. Chamorro's that we try to provide everything we can in kind. But some things she has to have in dollars. The newspaper that she has, she is being rationed newsprint from the Government. It is Russian newsprint and she has enough to last one more month.

What we are trying to do if at all possible is find supplies in this country that will allow newsprint to be shipped into Mrs. Chamorro at La Prensa. One time in the past the Swedes gave her newsprint. I do not think the numbers are exactly right, but the description will fit. She was given say 30,000 pounds of newsprint. It was shipped in. The Government seized it and said "this is not fair, this is not the free enterprise way, your paper will have an advantage," over the two Communist papers here. "So what we are going to do is we are going to take your newsprint and divide it up three ways." They gave one-third to one of the Communist newspapers, another third to the other Communist newspaper and the third third which should have been hers disappeared. So Mrs. Chamorro is operating in a very difficult situation. But we have to somehow get her, at least in my considered opinion, and I am going to make the effort to my friends in the news media to get her newspaper, get her ink, get her equipment to operate all these various and sundry things that are necessary. I do not think that people in this country can recognize the economic disaster that is truly operating in Nicaragua at the present time. Not only is their money not worth anything, but the value, having no value means they can buy almost nothing in the outside world to be shipped in.

One of the strange stories that was told to me by Mrs. Chamorro's son-in-law was the fact that previous to their taking over the Government, the Sandinistas were a bunch of college kids out robbing banks in the revolution and they had not even finished their college careers and all of a sudden they end up running the Government. They have absolutely no background in economics. They were having all kinds of strange ideas as to how to op-

erate a Marxist-Leninist government, with controls and so forth.

What they did, they destroyed the economy. So being not too brilliant young men, they asked for economic assistance or aid from an economist somewhere else in the world. Of all the strangest things in the world they received an economist from Bulgaria. Now for those of us who do not know what it is like in Bulgaria, that place is an economic disaster too. So here you take an economist who has already ruined the economy of the Government of Bulgaria and send him to Nicaragua to help them out with their economy and it really is an absolutely disaster.

Let me again back up and say that first of all I forgot to mention that Monsignor Carbollo, who is the cardinal's right hand man, and who was chased out of Nicaragua when they closed Radio Catolica down, decided to go back when they decided to open it. He obviously is there trying to run this place but he is probably in some physical danger. Now this Luis Endora, who was one of the engineers, had been broadcasting against the Sandinistas out of Miami for approximately 2 years. I asked him was he not afraid to go back to Nicaragua? And he said, "Well, if Monsignor Carbollo is willing to go back, if he has the guts to go back, then I will do the same thing."

Monsignor Carbollo and also the cardinal told me they had a printing operation, a little printing operation to be able to send letters to their parishioners, print church programs, all of which were seized by the Sandinistas. So there is absolutely no printing available to the church in Nicaragua.

Well, I have also signed up with the North Carolina Association of Printers called the NCA Printing Industries of Carolina to provide to him the printing presses that are necessary and whatever other equipment may be desirable on his part to be able to print the necessary things for his church.

I would say that this work is not going to be the end, above all ends, for peace in Nicaragua. But I think the fact that they have allowed both Radio Catolica, in its weakened state to come on the air and we were able to bring it up to the normal standard, and they allowed La Prensa in its weakened state to come in, maybe we can assist in that particular area to produce a radio station and a newspaper that would be maybe better than the ones they have operating there.

Mr. Speaker, I have enjoyed being able to present to you the story of what we have done and what we plan to do in Nicaragua. I have a list, a long list of parts and various sundry things needed down there still and possibly we will make arrangements through the National Association of Broadcasters to be able to let this be known na-

tionwide so that we can get further assistance.

I thank the Speaker and yield back the balance of my time.

NATIONAL SAFETY BELT USE DAY

The SPEAKER pro tempore (Mr. GRAY of Illinois). Under a previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 60 minutes.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order this evening.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, today, October 15, 1987, has been designated by the President as National Safety Belt Use Day. It is a very special day for thousands of individuals whose lives have been saved, or who have avoided substantial injuries, through the prudent use of safety belts. It also is a very special day for the many law enforcement, safety, automotive, education, insurance and public interest organizations who have supported numerous efforts to promote safety belt use and to increase the public's awareness of the advantages of "buckling up."

I wish to thank Congressman DYMALLY, Congressman FORD, and the House leadership for helping to expedite the passage on September 15 of House Joint Resolution 338, the resolution my good friend and colleague, Congressman BUD SHUSTER and I introduced requesting the President to designate October 15 as "National Safety Belt Use Day." I also want to thank all of my friends and colleagues—some 254 Members—who cosponsored and supported House Joint Resolution 338, which was a significant factor in enabling the President to sign this important resolution.

Mr. Speaker, many of my colleagues, including myself, have been involved in automobile accidents where safety belts have proven the difference between life and death. According to the National Highway Traffic Safety Administration, the probability of being involved in a motor vehicle injury accident during a 75-year lifetime is better than 86 percent. NHTSA also has provided some startling facts about automobile related fatalities and injuries:

Approximately 3,528,000 people were injured in traffic injuries in 1985;

There were 23,192 passenger car fatalities and 5,763 light truck fatalities in 1985;

On average one life is lost every 12 minutes in traffic accidents;

In 1985, 91 percent of the occupants killed in auto accidents were not wearing their safety belts;

Unrestrained automobile occupants were 40 percent more likely to be injured in an auto accident and twice as likely to require hospitalization as restrained occupants;

Mr. Speaker, the facts on the record demonstrate that safety belts save lives and prevent injuries. In the past few years more than half our Nation's State legislatures have made substantial progress in enacting mandatory seatbelt use laws. Since 1984, 29 States and the District of Columbia have enacted mandatory safety belt use laws.

Each of these laws has the objective of reducing deaths and injuries in motor vehicle crashes. The fact is that virtually every study produced on the effects of increased belt use indicates that lap and shoulder safety belts can reduce the risk of fatal or serious injury by between 45 and 55 percent.

These laws work. Safety belt use has dramatically increased. Currently, safety belt use in States that have enacted belt use laws averages about 45 percent, ranging from 78 percent in North Carolina to 23 percent in Kansas.

The U.S. Department of Transportation's Center for Statistics and Analysis has documented the success of increased safety belt use in terms of lives saved and injuries prevented:

Among front seat passenger vehicle occupants, safety belts saved about 2,200 lives in 1986—1,750 in States with belt use laws;

Among front seat passenger vehicle occupants, safety belts prevented about 25,000 moderate to critical injuries in 1986, 20,000 in States with belt use laws;

At the current use level in belt law States—45 percent—belts would have saved 3,100 lives if all States had belt laws in 1986;

At the high use levels achieved in some other countries—85 percent—belts could have saved 10,000 lives if all States had belt laws in 1986.

The National Highway Traffic Safety Administration also indicates that safety belt use has dramatically increased since 1982. NHTSA's yearly national safety belt use survey of 19 cities has documented a safety belt use rate increase from 11 percent in 1982 to 42 percent in the first half of 1987.

An interesting fact in this survey was that among the seven cities without belt laws, belt use was only 27 percent. Among the 12 cities with belt laws in effect, belt use was 51 percent.

An important aspect of safety belt use that cannot be overlooked is child safety seats in passenger vehicles. These statistics are worth looking at. The National Center for Statistics and Analysis reports that:

Among children under 4, child seats saved about 200 lives in 1986;

With 100 percent correct use, child seats could save about 500 lives per year.

Child seat use among children 4 and under in the 19 cities surveyed was 72 percent in 1986.

Mr. Speaker, it goes without saying that one of the most important aspects of educating the public about the advantages of increased safety belt and child restraint use is the active involvement of the many law enforcement, educational, industrial, State, medical, consumer, insurance and safety organizations in promoting this sound policy objective.

All too often, the efforts of these organizations and individuals go unnoticed. Their wide range of support for "National Safety Belt Use Day" and other activities associated with vehicle safety programs is testimony to the national recognition of the critical importance of safety belt use.

The good work of these organizations are a genuine part of the success we celebrate today. For that reason, these organizations should be commended for recognizing the importance of buckling up. Their tireless work exemplifies the need to pursue this cause with enthusiasm and vigor so that thousands of needless deaths may be prevented.

For the record, I wish to thank all of the organizations who publicly support "National Safety Belt Use Day," and helped make this day possible. I therefore submit for the RECORD a list of the organizations who supported our efforts:

**PUBLIC ORGANIZATIONS SUPPORTING
H.J. RES. 338**

Aetna Life Insurance Company.
Alliance of American Insurers.
Allstate.
American Academy of Orthopaedic Surgeons.
American Association for Automotive Medicine.
American Association of Critical-Care Nurses.
American Association of Motor Vehicle Administrators.
American Automobile Association.
American Coalition for Traffic Safety.
American College of Emergency Physicians.
American College of Surgeons.
American Insurance Association.
American Medical Association.
American Mutual Fire Insurance Company.
American Red Cross.
American Society of Abdominal Surgeons.
Automobile Importers of America, Inc.
The Central Insurance Companies.
Colorado Seat Belt Network.
Commonwealth of Virginia, Department of State Police.
Emergency Nurses Association.
Florissant, Missouri City Council.
Greene County Area Council of PTA.
Highway Users Federation for Safety and Mobility.
Illinois State Police.

International Association of Chiefs of Police.

Kemper Group.
Los Angeles Police Department.
Michigan Head Injury Alliance.
Mississippi Department of Public Safety.
Missouri Rehabilitation Center.
Motor Vehicle Manufacturers Association.
National Association of Governors' Highway Safety Representatives.

National Association of Independent Insurers.

National Commission Against Drunk Driving.

National Passenger Safety Association.

National Safety Council.

National Transportation Safety Board.

New York City Department of Transportation.

Pennsylvania National Insurance Companies.

Preferred Mutual Insurance Company.

Society of Critical Care Medicine.

State Farm Mutual Automobile Insurance Company.

Students Against Drunk Driving.

Texas Department of Public Safety.

University Association for Emergency Medicine.

On a special note, I would like to recognize the participation of 51 law enforcement officers—one from every State and the District of Columbia—who are in Washington, DC, today taking part in special ceremonies—because each and every one of them were saved by the belt while in the line of duty. I believe these men and women deserve special recognition for coming forward and telling their stories on how seatbelts saved their lives.

I believe that as part of this special order some of my colleagues will specifically highlight the circumstances of how their constituents were saved.

To make each of their stories known to our Nation, I will insert for the RECORD a list of their names and a short description of how seatbelts made them survivors rather than death statistics.

LAW ENFORCEMENT SURVIVORS

ALABAMA

Who: Deputy Sergeant Philip Walker of the Shelby County Sheriff's Department.

Story: Walker swerved off a rural highway to avoid some horse that had wandered onto the road. The Shelby County officer lost control of his patrol car and flipped it over on its side. Walker walked away from the accident without injury.

ALASKA

Who: Captain Glen Godfrey of the Alaska State Police Department.

Story: A car went through a stop sign, hitting Godfrey's patrol vehicle. Both cars were demolished. Godfrey suffered a concussion as a result of the crash, but he believes he would have gone through the windshield had he not been wearing his safety belt.

ARIZONA

Who: Lieutenant James Semenza of the Phoenix Police Department.

Story: With his emergency lights flashing, Semenza was racing to a shooting call when a drunk driver pulled out in front of his car unexpectedly. Semenza's vehicle was traveling approximately 60 miles per hour when the cars collided. His car was totaled. The

Phoenix police officer was wearing his safety belt and only suffered whiplash and a cut on the head.

ARKANSAS

Who: Corporal Paul Halley of the Arkansas State Police Department.

Story: During routine patrol Halley's police vehicle was rammed by another vehicle, pushing the police cruiser into a bridge abutment. Halley's safety belt kept him in place and his injuries were limited to a banged up elbow and a bootful of shattered glass from the windshield.

CALIFORNIA

Who: Officer Barbara Ann Crumley of the Woodland Police Department.

Story: Crumley was on her way to the Police Shooting Range when she was struck from behind by a car traveling 50 mph. The force of the impact broke her seat, but Crumley's safety belt kept her from going through the windshield. She unbuckled her safety belt and walked away from the wreck.

COLORADO

Who: Agent John Ricker of the Aurora Police Department.

Story: Ricker was chasing a vehicle that refused to stop for a traffic violation traveling at speeds over 100 miles per hour. Ricker was forced to use his vehicle as a barrier to slow down the violator's car. Ricker's vehicle was rammed twice by the other car. Because he was wearing his safety belt, Ricker maintained control of his vehicle and avoided serious injury.

CONNECTICUT

Who: Trooper Kathleen Ackerman of the Connecticut State Police Department.

Story: Ackerman was driving on Route 89 in Ashford when she was broadsided by a car coming through the intersection. Ackerman's car was pushed into the median by the other car. Thousands of dollars worth of damage was done to the police vehicle, but Ackerman was wearing her safety belt and was uninjured.

DELAWARE

Who: Trooper Robert Schleifer of the Delaware State Police Department.

Story: Schleifer was responding to an emergency call with his vehicle's emergency lights flashing when a drunk driver crashed into him on U.S. 13, totalling his car. His injuries included bruised ribs, a sore right leg and a welt from the safety belt that held him in place during the crash. The unbelted driver of the other car broke his neck.

FLORIDA

Who: Trooper Robert Brown, Jr. of the Florida Highway Patrol.

Story: Brown's vehicle could not avoid a car that pulled out in front of him in Hialeah Gardens. The two cars collided. Because all Florida Highway Patrol officers wear their safety belts as an example for other drivers, Brown was protected.

GEORGIA

Who: Assistant Chief Chuck Kelley of the Stone Mountain Park Police Department.

Story: A car went through a stop sign and slammed Kelley's police vehicle. The Stone Mountain Park policeman was OK, but the unbuckled driver of the other vehicle suffered head injuries. Kelly is the chairman of the Park Safety Committee and has started a campaign to get all park employees to wear their safety belts.

HAWAII

Who: Lieutenant David Marciel of the Maui Police Department.

Story: Marciel's car was hit head-on by a vehicle which swerved into his path while avoiding a closed road. Both cars were extensively damaged. Marciel, who was wearing a safety belt, suffered bruised shins from hitting the dashboard. The other driver was not buckled up and ended up under the steering wheel with cuts and bruises. Marciel was named 1987 Officer of the Year by the Hawaii State Law Enforcement Officers Association in August.

IDAHO

Who: Deputy Patrick Scott of the Latah County Sheriff's Department.

Story: Scott's police vehicle was hit head on by a car that swerved to miss another car waiting to make a left-hand turn. Deputy Scott was buckled up and suffered a minor injury.

ILLINOIS

Who: Patrol Officer Marilyn McGrath of the Lombard Police Department.

Story: McGrath's vehicle was struck head-on by a hit-and-run driver. Her car flipped over four times before landing 30 feet off the road. The vehicle was destroyed. McGrath was wearing her safety belt and survived.

INDIANA

Who: Sheriff Gene Hardman of the Parke County Sheriff's Department.

Story: Hardman was on his way to an accident when another car collided with his on a gravel road. Both were travelling approximately 55 mph. The other driver, who was not wearing his safety belt, was transported by helicopter to an Indianapolis hospital and listed in serious condition with multiple injuries.

IOWA

Who: Officer Timothy Reynolds of the Cedar Rapids Police Department.

Story: Reynolds swerved out of the way of a car that suddenly cut in front of his vehicle on southbound I-380. The Cedar Rapids police officer ran off the road and his vehicle flipped over in the median. The car continued to roll, landing right side up on the side of the road. Reynolds unbuckled his safety belt, which had kept him safely in place, and he climbed out of the wreck with minor cuts from shattered windshield fragments.

KANSAS

Who: Deputy Sheriff Rusty Berry of the Shawnee County Sheriff's Department.

Story: Berry's vehicle was rear-ended when he changed lanes in front of another law enforcement vehicle. Berry was cruising at 40 mph, while the other car was traveling approximately 115 mph. The other police vehicle hit Berry's car, leaving the license plate number imprinted in the speeding car's hood. Berry remained conscious, unbuckled his safety belt, kicked his door open and got out of the car before it was engulfed in flames.

KENTUCKY

Who: Patrolman Robert Goldey of the Lexington-Fayette Police Department.

Story: Goldey was at an intersection when an oncoming car's brakes failed. The driver of the runaway car tried to turn out of the way but lost control of the vehicle and slammed into Goldey's car. Goldey was wearing his safety belt and was not seriously injured.

LOUISIANA

Who: Trooper First Class Tony Rafalewski of the Louisiana State Police Department.

Story: Rafalewski was involved in a high-speed chase when he lost control of his patrol car. His vehicle slid off the road and flipped over three times before it landed upside down on the median. Everything that was not secured was thrown out of the car, including the radio microphone. He remained in the car because he had his seat belt buckled.

MAINE

Who: Police Chief David Kurz of the Gorham Police Department.

Story: Kurz's police vehicle ran off the road and hit a tree. He was wearing his seat belt and survived the crash.

MARYLAND

Who: Sergeant Peter Brelia of the Greensboro Police Department.

Story: Brelia was trying to avoid a car which had pulled out in front of his vehicle when his vehicle ran off the road. Brelia hit a utility pole and rolled over several times. He was wearing his safety belt and remained conscious and able to get out of the car before it was engulfed by flames.

MASSACHUSETTS

Who: Trooper Harvey D. "Danny" Bigelow, Jr. of the Massachusetts State Police.

Story: Bigelow was enroute to the scene of an accident when another driver ran a red light and slammed into his patrol car. He careened across the center line and struck two other vehicles heading in the opposite direction. His safety belt kept him safely in place and he suffered only minor injuries.

MICHIGAN

Who: Deputy Sheriff Roy Mays of the Washtenaw County Sheriff's Department.

Story: Mays' vehicle was totaled when a pick-up truck made a left-hand turn in front of the deputy's police vehicle on Michigan Avenue in Ypsilanti. Mays and his partner were buckled up and were unharmed. The other driver was not wearing his safety belt and was injured.

MINNESOTA

Who: Corporal Brad Ferris of the Minnesota State Patrol.

Story: Ferris used his vehicle to stop a car stolen by two juveniles. His car was going about 45 mph when it was struck from behind by the other vehicle that was traveling about 75 mph. Ferris was buckled up and suffered shoulder and arm injuries.

MISSISSIPPI

Who: Detective Robert Andrews of the Jackson Police Department.

Story: Andrews' vehicle was hit by a truck at 55 mph. His car was cut in half, but he survived because he was held in place by his safety-belt.

MISSOURI

Who: Trooper Royal Messick of the Missouri State Police Department.

Story: Messick's vehicle was hit head on by a car operated by a driver who was on the wrong side of M-291. Messick's car was totaled. He was buckled up and suffered minor cuts in his mouth and chipped his teeth. The other driver was not wearing his safety belt and suffered more serious injuries.

MONTANA

Who: Patrolman James Thompson of the Montana Highway Patrol.

Story: Thompson's vehicle was struck head-on by a car that had skidded out of control on a snow-covered highway. Both vehicles ended up off the road on opposite sides. Thompson was wearing his safety belt and suffered minor cuts and bruises on his chin. The other driver was not wearing his safety belt and suffered more serious head injuries.

NEBRASKA

Who: Trooper Keith Rodaway of the Nebraska State Police Department.

Story: While on patrol, Rodaway was involved in a chase that reached speeds of 100 mph. Rodaway was rammed by the fleeing car as he tried to pass it. The driver lost control of the car and slid in front of Rodaway's vehicle. Rodaway swerved into a ditch to avoid another collision and his vehicle became airborne and landed 74 feet away. The impact was so great that Rodaway tore the steering wheel off the dashboard. He unbuckled his safety belt and walked away from the accident.

NEVADA

Who: Deputy Sheriff Doug Brady of the Washoe County Sheriff's Office.

Story: Brady tried to avoid hitting a truck with his vehicle and swerved off I-80. He hit the dirt shoulder and rolled over. Brady was buckled up and survived the accident.

NEW HAMPSHIRE

Who: Captain Ernest Loomis of the New Hampshire State Police Department.

Story: While patrolling remote, unoccupied cottages on Rose Mountain, then-Trooper Ernest Loomis' cruiser slid off the icy road and into a gulley. He was successful at getting the vehicle out of the gulley, but then slid down the backside of the mountain's dirt road and collided with a salt-truck. Loomis' car was totaled but he was wearing his safety-belt and only suffered a bruised knee.

NEW JERSEY

Who: Patrolman William Masterson of the Roselle Park Police Department.

Story: Masterson was on his way to a medical emergency call at the Oak Ridge Golf Course when his vehicle was struck by a tractor trailer at an intersection. He was buckled up and suffered minor back injuries. His car was totaled.

NEW MEXICO

Who: Private First Class Roger Sequeira of the Bernalillo County Sheriff's Department.

Story: Sequeira had just turned on his car's emergency lights and pulled behind a stalled car on I-25 during rush hour in Albuquerque when another car rammed into his. The impact pushed Sequeira's vehicle 23 feet forward, ripping his seat off the moorings. He suffered slight injury to his back when he was forced into the steering wheel.

NEW YORK

Who: Officer Robin Kane of the Suffolk County Highway Patrol.

Story: While on the lookout for speeders on the Long Island Expressway, Kane's patrol vehicle was hit from behind by another vehicle operated by a drunken driver. The other car smashed into Kane at 60 miles an hour, pushing the patrol car's trunk into the back of the front seat. Kane remained in her seat during the collision because of her safety belt. She unbuckled herself and was pulled out of the wreck by emergency personnel.

NORTH CAROLINA

Who: Officer Lee Bostic of the High Point Police Department.

Story: Bostic was buckled up when another car made a left-hand turn in front of him. His patrol car suffered \$4,000 in damage and Bostic suffered a light bruise.

NORTH DAKOTA

Who: Patrolman Merle Haisley of the North Dakota Highway Patrol.

Story: Haisley swerved to avoid the car which had cut in front of him. Haisley's car slid on the ice into an oncoming car. Extensive damage was done to both vehicles. Haisley was wearing his belt and escaped major injury.

OHIO

Who: Patrolman Thomas Conklin of the Englewood Police Department.

Story: Conklin was responding to a call when he lost control of his vehicle in Englewood. He rammed into another vehicle and survived because he was buckled up.

OKLAHOMA

Who: Second Lieutenant Jim Roper of the Oklahoma Highway Patrol.

Story: Roper was travelling approximately 75 mph when his vehicle was struck by a stolen car going 100 mph. Roper lost control of the car, hit a bridge abutment and landed upside down in a dry creekbed. He unbuckled his safety belt and escaped before his car caught on fire.

OREGON

Who: Officer Mark Miranda of the Keizer Police Department.

Story: While on his way to an emergency call, Miranda's car hydroplaned on a wet road and slid off a cliff. Miranda's vehicle hit a rock in the river below and totaled his car. Unbuckling his safety belt, Miranda walked away from his car with a cut above his eye.

PENNSYLVANIA

Who: Patrolman William Kellington of the Crafton Borough Police Department.

Story: Kellington's vehicle skidded down a steep hillside. Because he was buckled up, Kellington was able to maintain control of the car and suffered no injuries.

RHODE ISLAND

Who: Sergeant Richard Schmitter of the Coventry Police Department.

Story: While chasing a traffic violator, Schmitter's vehicle failed to make a curve and skidded on the wet pavement. The car slammed into the end post of a guardrail, smashed the front end, and spun around. Schmitter, who was wearing his seat belt, walked away with bruised knees.

SOUTH CAROLINA

Who: Deputy Jeffrey Granner of the Greenville County Sheriff's Office.

Story: Granner's patrol vehicle was on Highway 29 when a car crossed over the median, hit Granner's vehicle head-on, and crashed into another car. Granner's car was demolished. He believes his safety belt saved his life.

SOUTH DAKOTA

Who: Deputy Sheriff Brad Bortnem of the Davison County Sheriff's Department.

Story: Bortnem and his wife were on their way to the sheriff's house on Christmas Eve when a car ran a stop sign, broadsided their car and pushed the Bortnem's car into another vehicle. All three cars were wrecked. Bortnem was wearing his seat belt and was not seriously injured.

TENNESSEE

Who: Patrolman Joel Bach of the Berry Hill Police Department.

Story: Bach's patrol car was hit by a car that had run a red light. Bach was not injured in the crash, but his car was severely damaged. Without his safety belt, Bach believes he would have gone through the windshield.

TEXAS

Who: Sergeant Richard Hawthorne, Jr. of the Mexia Police Department.

Story: While on patrol, Hawthorne's vehicle was rammed by a pick-up truck which had run a red light. The impact pushed the truck into a light pole, smashing a sign in front of a Mexia business. Both drivers were wearing their seat belts and walked away from the accident.

UTAH

Who: Superintendent Dennis Nordfelt of the Utah Highway Patrol.

Story: Nordfelt inadvertently ran a stop sign and hit another car in the intersection. He was wearing his safety belt when the accident occurred and avoided serious injury.

VERMONT

Who: Sergeant Terrance Martin of the Vermont State Police Department.

Story: Martin lost control of his vehicle while on a low shoulder and was hit by another car. Martin's car was totaled while the other car was extensively damaged. He was wearing his safety belt and suffered a minor head laceration and a pinched nerve in his neck.

VIRGINIA

Who: Trooper William "Steve" Bryant of the Virginia State Police Department.

Story: Bryant was on patrol when the car in front of him was sideswiped by an oncoming car. That car hit Bryant's vehicle head-on, crushing both vehicles' front ends. Bryant unbuckled his safety belt, got out of the car and helped set up traffic control and assist the injured.

WASHINGTON

Who: Sergeant Carlos Gonzales of the Yakima County Sheriff's Department.

Story: Gonzales' vehicle was struck by a car operated by a drunk driver, pushing Gonzales' vehicle into a light pole. He was wearing his seat belt and survived the accident.

WEST VIRGINIA

Who: Sergeant Charles Martin of the West Virginia State Police.

Story: Martin lost control of his vehicle, ran off the road and crashed into an oncoming car while pursuing a stolen car driven by a murder suspect. The back seat on the driver's side was pushed in on Martin's car while the other car's front end was demolished. Martin was buckled up and survived the crash.

WISCONSIN

Who: Sheriff Donald Taylor of the Burnett County Sheriff's Department.

Story: Taylor was eastbound on B-B Road when the safety chains of the trailer attached to a westbound car snapped, causing the trailer to run into Taylor's vehicle head on. Taylor was wearing his safety belt and survived the crash.

WYOMING

Who: Patrolman Duane Verley of the Wyoming Highway Patrol.

Story: Verley's vehicle slid sideways off the road, hit a stationary mailbox and flipped over on its top, nearly shearing it

off. Verley was hanging upside down by his safety belt when he unbuckled himself and climbed out of the car.

DISTRICT OF COLUMBIA

Who: Captain Michael Pickett of the Metro Police Department.

Story: Pickett was struck by a drunk driver travelling 40 miles per hour. His minor injuries would have been much worse had he not been buckled up.

I yield to my dear friend from Michigan, Mr. WOLPE.

Mr. WOLPE. I thank the chairman for yielding. I also thank the gentleman for taking this special order and I want to express my personal appreciation for his very long-term leadership on this issue.

I am happy to add my voice to those who are speaking today on behalf of seatbelts. In fact, I am not just happy, I am delighted, because I am a firm believer in seatbelts. I know from personal experience how useful they are. One of them probably saved my life.

The Third District of Michigan which I represent extends over several counties. The winter before last I was driving on an interstate highway to Kalamazoo where I was scheduled to appear at a press conference. My car is a good solid machine made in Michigan, I would recommend it highly to anyone. I like to think that I am a pretty good driver, but this was the kind of a winter day that would challenge a Sherman Tank. Unfortunately, I hit an ice patch by the side of the road, went into a skid and slid off the road and overturned in the ditch. Was I scared? You bet I was. Only one thing saved me, my seatbelt. If I had not been buckled up I would have ended up in worse shape than the trade deficit. But because I had it on, the only thing that was wounded was my pride. I climbed out of my car without a scratch and hitchhiked into Kalamazoo the rest of the way. I even made it to the press conference on time. I got out of the car in one piece.

□ 1545

I thank my lucky stars that I got out of that car in one piece; but I do not just thank my lucky stars. I thank that seatbelt.

Before this experience, my attitude toward seatbelts was probably like that of most people. In the abstract, I thought favorably of the little gadgets, and I buckled up most of the time. But believe me, this experience made a true believer out of me.

I am all for whatever it takes to encourage people to use seatbelts. There are fan clubs for Madonna, for Bon Jovi, for Bruce Springsteen. But the day they start a fan club for the unassuming seatbelt, let me know. I am going to send in my dues to become a charter member.

Mr. Speaker, I thank the gentleman so much for advancing this resolution

and for really focusing national attention on this issue.

Mr. DINGELL. Mr. Speaker, I thank my dear friend, the gentleman from Michigan [Mr. WOLPE] for his contribution. His contribution to the discussion is a valuable one, and certainly his experience is an important one in terms of addressing a major problem of hazard to all Americans.

Mr. SLATTERY. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I am delighted to yield to my friend, the gentleman from Kansas.

Mr. SLATTERY. Mr. Speaker, I thank my friend, the gentleman from Michigan, for yielding.

I just want to pay special tribute to the gentleman from Michigan for bringing this matter to our attention and taking the time to get this special order, because certainly no one around here has done more to enhance auto safety than the gentleman has, and I for one deeply appreciate that.

Mr. Speaker, law enforcement officials whose lives have been saved because they were wearing seatbelts during an accident are in Washington to commemorate "National Safety Belt Use Day."

Topeka Deputy Sheriff Russell Berry, a member of this special group being honored today, is a living testament to the importance of seatbelt safety. Because he was wearing a safety belt, Deputy Sheriff Berry was able to remain conscious and escape his patrol car after it had been rear-ended by a vehicle traveling approximately 115 miles per hour.

I am pleased and proud that my State of Kansas is one of 29 States that has passed a safety belt law. Statistics underscore the necessity for this type of life-saving legislation.

According to the National Highway Traffic Safety Administration, safety belt use laws saved 1,450 lives through 1986. In addition, passengers who do not wear safety belts are 40 percent more likely to be injured in an accident and twice as likely to be hospitalized as passengers who do wear safety belts.

I applaud Deputy Sheriff Berry and the American Coalition for Traffic Safety for their tireless efforts to raise the public's awareness of the life-saving importance of safety belt use.

Mr. Speaker, again I commend the chairman of the Committee on Energy and Commerce for his leadership in this matter, and I also appreciate the gentleman's taking time today to get this special order.

Mr. DINGELL. Mr. Speaker, I thank my dear friend, the gentleman from Kansas [Mr. SLATTERY]. He is one of the most valuable Members not only of our committee but of this body. I appreciate his contribution and his comments, and I thank him for his courtesy to me.

Mr. WISE. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from West Virginia, who is a very valuable Member of this body.

Mr. WISE. Mr. Speaker, I thank the chairman of the committee, and I thank him for taking the time to take this special order out.

We are very pleased in West Virginia because we have one of the recipients of the award given today on National Safety Belt Use Day, Sgt. Charles R. Martin of our West Virginia State Police.

Sergeant Martin was driving while on duty, lost control of his vehicle, ran off the road and crashed into an oncoming car while pursuing a stolen car driven by a murder suspect. The back seat on the driver's side was pushed in on Sergeant Martin's car while the other car's front end was demolished.

The sergeant was buckled up and survived the crash. Had he not been buckled up, we think the events—and he said the same thing—would have been more deadly.

I have a personal incident to relate. When seatbelts actually first began to be installed back in the 1960's, my parents, while driving along an interstate highway, were hit broadside by an automobile. By chance they had buckled up these new-found objects, these things called seatbelts. They were somewhat of an inconvenience, some people said, but mom and dad still put them on, and as a result their lives were saved even though their car was totally demolished. So seatbelts do make a difference.

I am proud, Mr. Speaker, that West Virginia was one of the first States to adopt a child restraint law, and we found that despite all the arguments that people made, it did work and it did save lives. Indeed the State legislature went back and made the law even tougher and added some additional years that would cover it.

We still in West Virginia, though, need to adopt a seatbelt law.

So I join the gentleman today in honoring those recipients of this award, including Sgt. Charles Martin of the West Virginia State Police, but most importantly in appealing to people to buckle up, both legislatively and also personally.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. DINGELL. Mr. Speaker, I thank my dear friend, the gentleman from West Virginia [Mr. WISE], for his very valuable contribution.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas, a member of our committee.

Mr. BARTON of Texas. Mr. Speaker, I want to commend the distinguished gentleman from Michigan [Mr. DINGELL], the chairman of our

committee, for his support of House Joint Resolution 338, the "National Safety Belt Use Day," and I thank him for the personal interest he has taken in this legislation.

I was privileged today to attend the ceremony in which there was one police officer from each of the 50 States. The officer from Texas is from my congressional district, Sgt. Richard Hawthorne, Jr., from Mexia. He was in his patrol car on March 22 last year at 1 a.m., and he was running through a green light. A pickup truck ran through the light and hit him broadside. The driver of the other vehicle was intoxicated. Sergeant Hawthorne had his safety belt on, and because of that his life was saved.

I think this resolution of support will give the public an awareness of how important it is to use safety belts. I will not stand here and say that I have been the most determined in my use of safety belts, but I have a 12-year-old daughter and a 5-year-old daughter who are holy terrors about getting me to buckle up. So I am now buckling up, and hopefully I will never have to test the safety belts with my family or myself in a vehicle mishap, but if that day occurs, I will remember that the reason I am using the safety belt is that people like the gentleman from Michigan have made it a national issue. I commend the gentleman from Michigan on his work and hope that the American people and our colleagues will also begin to use safety belts.

Mr. Speaker, under leave to include extraneous matter, I submit an article concerning Police Officer Hawthorne, as follows:

"BUCKLED UP" MEXIA PD OFFICER TO TELL HIS STORY IN WASHINGTON

(By Dan Eakin)

Sgt. Richard Hawthorne Jr. is one of those nice-guy policemen on the night shift at the Mexia Police Department.

He likes to kid people a lot, and a lot of people like to kid him.

A couple of months ago, he was snoozing away one morning after having been on the night shift the night before when the telephone rang.

A female caller told him that because he had been saved by a seat belt during an accident last year that he was to come to Washington, D.C. in October to receive special recognition.

Hawthorne asked the caller what kind of fool did she take him for. He advised her that he was too smart to fall for a ridiculous prank like that. Then he slammed down the receiver, rolled over and went back to sleep.

About two days later, fellow employees finally convinced him the caller was for real. He called Diane Frye of the Texas Coalition for Safety Belts in Austin and apologized for not believing her earlier.

Next Wednesday, Richard and his wife Kathy will depart for Washington, D.C. where he will be one of 51 law enforcement survivors via safety belts who will be honored and who will share their stories at ceremonies set for 9:30 a.m. Thursday.

A law enforcement officer from every state and the District of Columbia will be there for the festivities at Georgetown Waterfront Park in Washington, D.C. Hawthorne, a lifelong resident of Mexico, will represent Texas.

The 51 law officers will pose for a group poster promoting safety belt use. The poster, to be sponsored by the American Coalition for Traffic Safety (ACTS), will be distributed nationwide.

After the poster photo session, the officers will go to Capitol Hill for a luncheon with their senators and representatives.

It was the night of March 22, 1986.

Sgt. Hawthorne had been jumping in and out of the police car checking to see if doors were locked. Admittedly, he had not bothered to fasten his safety belt throughout much of the evening because he was in and out of the patrol car so much.

Then, for some reason, he felt the urge to buckle up. He was casually driving on Ross Avenue toward Milam. It was about 1 a.m. Seeing the light was green, he went through the intersection.

Then BAM! What luck! He had been struck! By a pickup truck! But he was buckled up!

He said later the only pain he felt was when the strap of the seat belt pressed his police badge into the upper left part of his chest.

The driver of the pickup truck was charged with driving while intoxicated, speeding and running a red light.

Hawthorne said, "My first reaction was to want to jump out of the car and beat the guy up for demolishing my beautiful police car."

But now his attitude toward the man may be a little different.

After all, he and his wife got a trip to Washington, D.C. out of it.

To illustrate how safety belts save lives of law enforcement officers in every state, the American Coalition for Traffic Safety (ACTS) is bringing a law officer from each state in the union and the District of Columbia to Washington, D.C. this coming Thursday who has been saved by the use of a seat belt. They will pose for poster to be used nationwide, urging the public to use seat belts. Sgt. Richard Hawthorne Jr., above, whose seat belt likely saved his life in an accident in his police car on March 22, 1986, was chosen to represent Texas. Picture-taking and festivities are set for 9:30 a.m. Thursday at Georgetown Waterfront Park in Washington, D.C.

Mr. DYSON. Mr. Speaker, the United States could prevent 10,000 to 20,000 accidental deaths a year. How could we do this? The Department of Transportation's National Highway Traffic Safety Administration estimates that this many lives could be saved each year if the Nation had a 100-percent rate of seat belt usage. In 1986 alone, 2,200 lives were saved by seat belts. This is why I have cosponsored House Joint Resolution 338, designating today as National Safety Belt Use Day, and I urge your support for this resolution. If the citizens of our Nation could be made more aware of these figures, perhaps many of these accidental traffic deaths could be avoided.

House Joint Resolution 338 requests the President to urge the people of the United States to wear safety belts, to buckle up their children, and to encourage greater use of these safety devices. It is our responsibility as legislators to encourage any action that will protect the lives of our citizens. This joint

action by the President and the Congress will show the American people that both the executive and the legislative branches of Government support saving lives through seat belt use.

For the benefit of my colleagues, I would like to present some statistics that I have. In 1985, there were 23,192 passenger-car fatalities and 5,763 light-truck fatalities. Of the occupants killed in auto accidents in 1985, 91 percent were not wearing their safety belts. Unrestrained occupants were 40 percent more likely to be injured in an accident and twice as likely to require hospitalization as restrained occupants.

As NHTSA figures show, the probability of being involved in a motor-vehicle injury accident during a 75-year lifetime is better than 86 percent. It behooves us to educate our children to the dangers of riding in an automobile without buckling their seat belt. A life is a precious thing, too precious to wantonly throw away by failing to take the time to buckle up. I have heard all the excuses—a seat belt is too uncomfortable, it is too restrictive. However, among young adults, aged 12 to 34, traffic accidents rank as the No. 1 killer. I ask you, Mr. Speaker, aren't the lives of our young too important to throw away?

Let me offer the experience of a member of a police department in my district. Sergeant Peter Brelia of the Greensboro Police Department was trying to avoid a car which had pulled out in front of his vehicle. As a result of this, Sergeant Brelia ran off the road, hit a telephone pole, and rolled over several times. He was wearing his safety belt and remained conscious and able to get out of the car before it was engulfed by flames. Without a safety belt, it is unlikely that Sergeant Brelia would be so lucky.

Mr. Speaker, in the first 6 months of 1987, safety belt use in the United States had reached a new high. We must work for the day when there will be 100 percent safety use, when those 10,000 to 20,000 citizens can be productive members of society, and not just statistics for Congressmen to read. Thus, I urge my colleagues to join me in support of House Joint Resolution 338, and designate today as National Safety Belt Use Day.

Mr. HAMMERSCHMIDT. Mr. Speaker, I would like to add my voice with those of my distinguished colleagues to call attention to "National Safety Belt Use Day."

Motor vehicle accidents have been a major cause of death and injury in the United States for many years. Each week, approximately 850 people are killed in traffic accidents across the Nation and an additional 30,000 are injured.

The most serious injuries that occur to passengers are those caused by the secondary collision. When a moving vehicle is abruptly stopped the change in momentum causes the passengers to be thrown against the interior of the automobile. Injuries caused by these collisions could be significantly reduced if passengers wore their safety belts.

In addition to the human suffering involved, the monetary expense incurred by these accidents is staggering. The National Safety Council has estimated that traffic accidents cost \$42 billion per year in medical expenses, lost wages, insurance administration costs,

and property damage. The \$42 billion does not include the costs of agencies such as police and fire departments, courts, indirect costs to employers for off-the-job accidents of employees, shipment losses in commercial vehicle accidents, and court-awarded damages.

Since 1968, safety belts have been required on all automobiles manufactured in this country. Unfortunately only 10 to 14 percent of all passengers use their safety belts. The Highway Users Federation estimates that 12,000 lives a year could be saved if people simply buckled up. Mr. Speaker, it is my hope that through our action here today we will encourage people across the Nation to use their safety belts and buckle up.

Mr. FAZIO. Mr. Speaker, I rise today in support of National Safety Belt Use Day and to recognize Officer Barbara Ann Crumley from the Woodland California Police Department for calling attention to benefits of safety belt use. Officer Crumley walked away from what could have been a fatal accident because she was wearing her safety belt.

On average, one life is lost every 12 minutes to traffic accidents. For persons between the ages of 1 and 34, traffic accidents are the No. 1 killer in the United States. Recent figures show 91 percent of occupants killed in auto accidents were not wearing their safety belts.

In 1985 alone, there were 39,000 accidents resulting in nearly 44,000 fatalities and over 3.5 million people injured in traffic accidents. Unrestrained occupants were 40 percent more likely to be injured in an accident and twice as likely to require hospitalization as restrained occupants.

Thousands of lives could be saved if more Americans simply buckle up. Many more statistics could be cited, but Officer Barbara Ann Crumley from my congressional district is living proof.

Last August, Officer Crumley was on her way to the Police Shooting Range when her vehicle was hit by a car traveling over 50 miles per hour. The force of the impact broke her seat, but Officer Crumley's safety belt kept her from going through the windshield. She unbuckled her safety belt and walked away from the total wreck.

I honor Officer Crumley today for the example she sets for all of us as well as the Woodland community. I join the Woodland community in expressing our gratitude to Officer Crumley and her colleagues for their dedicated service and for caring enough to educate others about the life saving benefits of safety belt and child safety seat use.

Mrs. PATTERSON. Mr. Speaker, last year 1,059 South Carolinians died in traffic accidents, many of them needlessly. And 34,389 South Carolinians were injured in auto accidents. Why? Because they didn't take the 10 seconds necessary to buckle their safety belts.

You see, my State of South Carolina has the unenviable distinction of having one of the Nation's highest highway death rates, and instead of going down, that death rate is increasing annually.

For that reason, last year I was a cosponsor of a mandatory safety belt use law and a mandatory child restraint law. We now have a

child restraint law, but the safety belt law was defeated. My belief in the importance of buckling up, however, has never wavered.

Take a look at the statistics. They'll make a believer out of you, too.

Safety belt use laws have saved 1,300 lives since the first belt use law went into effect in 1985.

Ninety-one percent of the victims of fatal automobile accidents were not wearing safety belts.

Unrestrained occupants are 40 percent more likely to be hurt in an auto accident and twice as likely to need hospitalization as occupants who took the time to buckle up.

The excuses for not buckling up are famous. "They're uncomfortable." "I'm only going two blocks." "I don't want to wrinkle my outfit." "I was running late and didn't have time." "I forgot." But the reasons for buckling up are so much more important. Safety belts can save your life.

There's a young man from my district who is in Washington commemorating National Safety Belt Use Day. Jeff Granner, a deputy with the Greenville County South Carolina sheriff's department was recently in his patrol car. His safety belt was buckled only because the department required it. After his patrol car was involved in a head-on collision, the doctors told Jeff that it was his safety belt that saved his life.

I urge everyone to take those 10 extra seconds to buckle up. Your chances of arriving home alive will increase.

Thank you.

Mr. OWEN of Utah. Mr. Speaker, I am proud today to take part in the activities of "National Seat Belt Use Day." The average American faces an 86 percent chance of being involved in an automobile accident in his or her lifetime, and many of these accidents will result in injury and death. The fact of the matter, however, is that by not wearing a seat belt, that same average American is 40 percent more likely to be injured in an accident, and twice as likely to require hospitalization from such an injury.

The State of Utah, whose residents I represent, passed a child restraint law in 1984 and a seat belt law in 1986. Since that time the use of child restraints has doubled, and seat belt use has increased. During the same period, traffic fatalities have decreased nearly 15 percent. I am convinced that the increased use of seat belts and child restraints has contributed to greater highway safety in my State.

I am happy to see this recognition of the importance of seat belt use. I commend Chairman JOHN DINGELL and Congressman SHUSTER for their leadership in organizing this important day's observation.

Mrs. VUCANOVICH. Mr. Speaker, it gives me great pleasure to recognize the participation of Deputy Sheriff Doug Brady of the Washoe County, NV, sheriff's office in the events held on Capitol Hill today to commemorate National Safety Belt Use Day.

Sheriff Brady became a safety belt survivor when he tried to avoid hitting a truck with his vehicle and swerved off Interstate 80 in Nevada. He then hit the dirt shoulder and rolled over. Because Sheriff Brady was buckled up, he survived the accident. Thank God

Sheriff Brady had the common sense to use his safety belt, which ultimately saved his life.

I would also like to call further attention to the life-saving benefits of safety belt and child safety seat use. According to the National Highway Traffic Safety Administration, safety belt use laws saved 1,450 lives through the end of 1986. There were some 39,168 fatal accidents resulting in 43,795 fatalities in 1985 and 91 percent of the occupants killed in these auto accidents were not wearing their safety belts. Of those killed in motor-vehicle accidents, 58 percent are drivers, 24 percent are passengers, and 18 percent are nonoccupants. In addition, unrestrained occupants were 40 percent more likely to be injured in an accident and twice as likely to require hospitalization as restrained occupants. People who are thrown from their vehicles are 25 times more likely to be killed than if they stayed in their vehicle. More than three out of four people who were thrown from their vehicles in 1984 were killed.

Safety-belt-use legislation has been passed in 29 States and the District of Columbia including my home State of Nevada. It is estimated that if 70 percent of Americans regularly wore their safety belts in 1983, 9,140 lives would have been saved and 327,000 injuries would have been avoided.

The safest way to travel by car is to use a safety belt for each passenger. Statistics show that most accidents occur within 25 miles of home, and that the greatest number of serious injuries and deaths occur at speeds of less than 40 mph. Studies have proven that safety belts with shoulder harnesses are more than 50 percent effective in preventing injuries in this type of collision.

Children need to be protected because their chances for being thrown from a vehicle or for serious and fatal injuries is as great as an adult's. Babies being held in their mothers' arms are at great risk of being crushed or thrown from a vehicle, even in collisions at very low speeds.

Safety belts are for everyone, so let's follow the example set by Sheriff Brady and buckle up for safety.

Mr. BEREUTER. Mr. Speaker, most of us have heard of someone who walked away from an automobile accident in which the vehicle was totaled. Chances are, that lucky individual was wearing his or her safety belt. A simple act, taking only seconds, has saved countless lives. The National Highway Traffic Safety Administration estimates that safety belts saved 1,450 lives in 1986.

Trooper Keith Rodaway of the Nebraska State Police owes his life to his seat belt. While on patrol in Nebraska, Trooper Rodaway was involved in a high speed chase where speeds reached 100 miles per hour. As the trooper tried to pass the fleeing car, its driver rammed his cruiser. That driver then lost control of his car, sliding in front of Trooper Rodaway's car. In an effort to avoid a second collision, Rodaway swerved toward a ditch. His vehicle became airborne and landed 74 feet away. The impact upon landing was so great that Rodaway tore the steering wheel from the dashboard. Believe it or not, my constituent unbuckled his seat belt and walked away.

A simple act, taking only seconds, saved Keith Rodaway's life. This Member salutes his courage as a law enforcement officer, and gives thanks, along with Nebraskans, that our State has such brave and selfless public servants. This Member also salutes Trooper Rodaway for his diligence in his seat belt use. His experience should be proof to all Americans that seat belts do indeed save lives.

Mr. BONIOR of Michigan. Mr. Speaker, today, as we observe National Safety-Belt-Use Day, it might be well to reflect for a moment on the human results of automobile collisions.

Automobile crashes, for example, produce more paraplegics and quadriplegics than all other causes combined.

The leading cause of noncosmetic plastic surgery is major damage to the face from auto crashes.

Motor vehicle accidents are a major cause of epilepsy.

Traumatic brain injury is a little known epidemic that affects 500,000 people nationally. Sixty percent of those injuries are the result of car crashes.

Traffic accidents are the No. 1 killer of young men and women up to the age of 24.

The irony of it is that a remedy for all of these problems is readily available. We have it within our power to reduce these afflictions with the wave of a hand if, at one end of the wave, the hand grabs the safety-belt buckle and, at the other end, snaps it into place.

Now if every single driver buckled up, there would still be deaths on the highways. Some crashes are too severe to be survived with any kind of restraint system. However, research has shown that if 70 percent of drivers buckled up, the fatality rate begins a steep decline.

As you can see, the safety-belt movement needs every bit of push that we can give it. So I am happy to add my voice to the many that are urging motorists to wave their hand—and grab that buckle.

Mr. DAVIS of Michigan. Mr. Speaker, a recent study by the National Highway Traffic Safety Administration concluded that—in one year alone—the cost of medical care for unbuckled, highway-accident victims was \$42 million.

That represents a lot of money, but—more important—it represents a lot of pain and a lot of misery.

We sometimes tend to forget that traffic crashes rank as the number one killer of Americans aged 6 to 33. Possibly because highway accidents are such a common phenomenon in American society, the numbers have lost their dramatic impact.

On the average, one life is lost every 12 minutes in highway crashes.

Let's imagine for a moment that Americans, most of them young, were being killed at the same rate by some virus striking at random in every State, every community.

It is not hard to envision what we would be hearing each day on the evening news and reading in the morning paper.

But let's go a step further. Let's say that the epidemic of deaths and crippling injury could easily be brought under control if Americans spent a few seconds each day applying some prophylactic, some readily available shield that

would improve their chances of avoiding pain and discomfort by at least 50 percent.

Would they use it? Of course they would because even someone personally prepared to ignore the risks would be under intense pressure from relatives, friends and every organization dedicated to the public welfare.

Today is National Safety Belt Use Day by congressional resolution, we are attempting to draw greater attention to the risks of highway travel and to the simplest way that just about every American can reduce that risk by merely reaching over the shoulder and clicking a safety belt into place.

This effort is not likely to find its way onto the national evening news. But that does not change the responsibility of Congress, as an organization assigned to protect the public well-being, from joining our voice to a growing chorus exhorting motorists to take the one step most likely to assure them of a safe journey.

We can curb the epidemic of highway deaths and injuries. All we have to do is buckle up.

Mr. TRAXLER. Mr. Speaker, I was pleased to vote in favor of the resolution declaring this as National Safety Belt Use Day because it gives us an opportunity to deliver some fascinating news to Americans who are eager to improve their condition in life.

It appears they may have a shortcut available to them, although it is not yet totally clear as to how much time they may actually be able to save.

Safety belt usage, it is clear, is on the upsurge in the Nation and since Americans have a natural tendency to study the living daylight out of anything that appears to be a trend, we are learning a great deal about those citizens who use safety belts consistently.

And the results are going to offer additional motivation to those motorists who aren't sufficiently intimidated by emergency rooms to snap a belt in place. Because now we find that safety belt use can offer more rewards than just safety.

First of all, our Department of Transportation, which takes a keen interest in these matters, tells us that consistent safety belt users tend to have higher incomes and more expensive cars than most people.

And if that isn't enough, we learn from pollster Lou Harris that those with a good record for using belts are more educated.

Now the survey takers don't tell us how long you must be a consistent belt user to become endowed with wealth and wisdom but, if these surveys can be believed, it is clearly only a matter of time.

But there is more.

We already knew that safety-belt users, after a crash, get charged much less by hospitals than nonusers, probably one reason they wind up with more money.

But now a study sponsored by Control Data Corp. proves that belt users have much better health habits than nonusers and are generally in better shape. That's enough to give any sickly driver new hope.

Moreover, Lou Harris tells us that a lot of belt users tend to be between 30 and 39, not a bad age, while persons who don't use belts tend to be somewhat older than that, or at least look like it.

If you seldom wear a belt you will most probably find yourself living in a rural area. So if you are tired of the farm, remember that consistent belt users very often have homes in the suburbs.

On the other hand, if a career change is on your mind, you will be fascinated to learn that a growing body of safety belt users are actors who appear on television regularly. That news was gleaned from a publication issued by Traffic Safety Now, an organization devoted to increasing safety belt use.

At any rate, this is all news that should encourage belt use, which up to now has been seen largely as a method of suture abatement rather than as the road to social improvement.

But even if you see the safety belt only as a device to prevent physical harm, putting it on is well worth the several seconds that it takes.

I ask that two articles from which I draw my data, one from *Automotive News* and the other from *TSN Update*, be printed at this point in my remarks.

SAFETY-BELT USERS FOUND HEALTHIER THAN OTHERS

Persons who wear safety belts generally take better care of themselves than those who don't, according to a study by Control Data Corporation and Milliman & Robertson, Inc.

The group that wears safety belts has better health habits and pays less for medical treatment than the group that does not wear safety belts, the study said.

The report divides people who wear safety belts into three categories: low-risk, those who wear safety belts 75 percent of the time or more; moderate-risk, those who wear safety belts between 25 and 74 percent of the time; and high-risk, those who wear safety belts less than 25 percent of the time.

A direct relationship appears to exist between safety-belt use and the amount of money paid in medical claims, the report concluded. Persons in the low-risk category have lower medical claims and spend fewer days in the hospital than those in the moderate- or high-risk categories.

"This report proves people that wear their belts are much healthier than those who fail to do so," said Charles L. Spilman, president of Traffic Safety Now, Inc. "Safety-belt use has to be encouraged because of the benefits it provides society."

According to the analysis, which was based on billed medical charges, persons in the high-risk category have 36 percent more claims in excess of \$5,000 than those in the low-risk category. Overall, those who wear safety belts on a less frequent basis have claim costs that are approximately 113 percent higher than those who wear their safety belts frequently.

"Generally, high-risk persons utilize more medical care than other persons and generate high claims," the report stated. "(We) have identified several major characteristics as having a significant effect on medical costs: exercise weight, smoking, hypertension, alcohol use cholesterol level and seat-belt use."

Control Data Corporation created the data base from employee information for 1981 through 1984. Milliman & Robertson, Inc., a nationwide actuarial consulting firm, designed and interpreted the results of the study.

STUDY CHARTS USAGE OF SEAT BELTS

A study on seat-belt use and the impact of mandatory seat-belt laws has been released by Lou Harris & Associates for Prevention magazine. The fourth annual survey, conducted in November 1986, surveyed 1,250 American adults.

Highlights include:

Seat-belt use is considerably higher in the western United States than in any other area of the country. Drivers and passengers in the East are more likely to wear seat belts all the time than people in the South and Midwest.

People living in suburban areas are most likely to use seat belts; those living in rural areas are least likely to use them.

The more education people have, the better record they have for using seat belts.

The connection between age and seat-belt use is not clear. People aged 30 to 39 years and people aged 65 years and older have the best seat-belt use records; people aged 40 to 49 years have the worst seat-belt-use record.

Women are slightly more likely to always use seat belts than men are.

Since 1983, the percentage of American adults who say they always use seat belts has nearly tripled, from 19 percent to 55 percent.

The impact of the seat-belt laws was reflected in a comparison of surveys done in November of 1984, 1985 and 1986. The study said that the first year a state has a mandatory law in effect, seat-belt use typically increases by 25 to 35 percentage points.

The November 1984 survey, of a like number of American adults, showed that 27 percent used seat belts "all the time" when they were in the front seat of a car. In November 1985, that number had risen to 41 percent. And by November 1986, 55 percent of adults said they always buckled up.

But a look at states with and without seat-belt laws showed startling differences, including:

In 1985, when the first eight states enacted seat-belt laws, belt usage increased from 25 to 58 percent. In 1986, the rate rose to 65 percent.

In 1986, when seat-belt laws became effective in another 15 states and the District of Columbia, belt usage in those states climbed from 35 to 60 percent.

During 1985 and 1986, seat-belt use in the 25 states without laws was up just 13 points, from 25 to 38 percent.

Mr. KILDEE. Mr. Speaker, I rise in strong support for House Joint Resolution 338 to designate October 15, 1987, as "National Safety Belt Use Day." I am a cosponsor of this resolution which was introduced by Representatives JOHN DINGELL and BUD SHUSTER. I commend Chairman DINGELL for requesting this time to allow Members of the House to express their support for the use of seatbelts.

It is a pleasure to speak before this body in support of a resolution that represents Congress' commitment to save lives. Seatbelts are directly responsible for saving 2,200 lives in 1986 and preventing approximately 20,000 injuries. Currently there are 29 States and the District of Columbia which have mandatory seatbelt use laws. I feel that the other States should adopt similar laws that protect us all.

My wife and I and our three teenage children all use seatbelts every time we ride in automobiles. The life of one of my children

was probably saved as a result of this prudent practice.

The higher speed limits on most of our expressways increases the likelihood of injury in the event of an accident, making the use of seatbelts even more important. I also would like to point out that of all the things a person can do to protect his or her self, wearing a seatbelt is indeed the simplest.

Although great progress has been made to make the public more aware of the advantages of increased seatbelt and child seat use, the designation of October 15, 1987, as National Safety Belt Use Day will serve to focus the Nation's attention on the importance of buckling up. Mr. Speaker, House Joint Resolution 388 reaffirms our Nation's commitment to the universal use of seatbelts and child safety seats, which greatly reduces the risk of death and injury on our highways and byways.

Mr. MARKEY. Mr. Speaker, as a cosponsor of House Joint Resolution 338 I rise in recognition of National Safety Belt Use Day. Passage of this exemplary educational commemorative legislation was the result of the efforts exerted by my colleague on the Energy and Commerce Committee, Representative DINGELL, Representative SHUSTER, and many others who are committed to increasing auto safety throughout the country.

In recent years many States have enacted mandatory seatbelt use laws. While the individual States must continue to determine the standards appropriate to local conditions, there is an indispensable Federal role to be played in the education of the American citizenry on this issue. A vigorous national education campaign spearheaded by House Joint Resolution 338 will increase awareness of the potentially life-saving value of safety belt and child safety seat use. Through the work of those responsible for this legislation, and the many citizens dedicated to public education in this field, many Americans will come to realize that by driving without a safety belt they are engaging themselves in an often fatal game of Russian roulette which is potentially devastating for them and their loved ones.

Finally, Mr. Speaker, I call on the President of the United States to actively join the drive to raise public awareness on this life and death issue. Active executive support of these efforts will lend invaluable weight to the national educational campaign which we commemorate today. A united Federal voice will ensure the success of the outstanding work carried forth by auto safety advocates, and create an environment where the needless and painful highway carnage which has been tolerated for far too long will be significantly reduced.

Mr. CARR. Mr. Speaker, 27 States, including my own, are now enforcing safety-belt laws. Another two States, Montana and Virginia, have enacted statutes that will soon be in effect.

Not surprisingly, the construction of those laws vary greatly from State to State. Enforcement levels are equally divergent. So are penalties with fines ranging from \$50 per violation in New York to zero in Minnesota, where it is against the law to drive unbelted, but you don't get fined if you're caught.

All the State laws, to one degree or another, reflect a struggle between two opposing

philosophies. On one side, you have the people who are concerned about safety and who know that laws make more people buckle up. They also work off of the simple truth that death and injuries are in inverse proportion to the percentage of belt usage.

On the other hand, there is a group of people who are convinced that a government that seeks to compel motorists to buckle up is guilty of "nannyism" and has no business inconveniencing people who are willing to take some personal risk.

It is easy, at least initially, to find some sympathy for this view. After all, we do have a tradition in this country of allowing individuals wide latitude of action as long as no one else is getting hurt.

And I think that if the Nation's experience showed that the risk of driving unbuckled was restricted to the motorist making the decision, enthusiasm for belt laws would begin to fade and all belt laws would be repealed or go unenforced.

But that hasn't been our experience. Our experience is showing that when one motorist goes unbuckled, a lot of people are at risk, some of whom know the motorist and a lot who don't.

Every highway death or serious injury produces a tragic impact that starts at the scene of the crash, but certainly doesn't end there. It ripples through the families of the victims, through the organizations that employ them and out into the society at large in the form of higher taxes and insurance rates.

Anyone who thinks "well, let the dummies kill themselves, it doesn't affect me" might do well to look at a recent study by the Pennsylvania State Insurance Department. That study shows that 85 percent of the persons receiving benefits from the State's Catastrophic Loss Fund between October 1984, and December 1986, were persons who were not wearing safety belts when injured in traffic accidents.

It's not unusual, after all, for an extensive recuperation from a serious accident to cost \$400,000 or more.

Meanwhile, the National Highway Traffic Safety Administration tells us that traffic accidents cost society—that is, taxpayers, insurance ratepayers and employers—\$69.2 billion each year in property damage, medical and insurance costs, lost productivity and so on.

In 1 year alone, Social Security survivor benefits to the relatives of people killed in accidents totaled more than \$643 million. And Social Security is an area where we'd all like to see some savings.

Another factor that seems to be having an eroding effect on the "government intrusion" argument against safety belt laws is the growing number of healthy people in the Nation who count themselves as safety belt survivors and are happy to tell their story to anyone who will listen. And when they do it, they are often surrounded by relatives who are overjoyed that the story ends the way it does. The survivor is never the sole beneficiary of his or her decision to put the belt on.

The weight of evidence in favor of safety belt laws continues to grow and, as the American public absorbs it, I think we will see safety belt laws getting stronger rather than weaker,

more popular rather than less and certainly more widespread.

Today, on National Safety Belt Use Day there is a growing body of Americans who have reason to be grateful for safety belts and we all have a duty to keep enlarging the number. We can do that by speaking two simple words whenever we find ourselves in a car with others: "Buckle up".

Mr. LEHMAN of Florida. Mr. Speaker, first of all, I want to commend our colleagues JOHN DINGELL and BUD SHUSTER for taking this time today, on National Safety Belt Use Day, to discuss a critical highway safety issue, the use of safety belts and child safety seats. I was pleased to cosponsor House Joint Resolution 338 and I am pleased to add my voice today to the effort to increase usage of belts and child seats.

I cannot think of another instance where major gains in safety can be achieved simply by increasing the use of a device that is nearly universally available, but this is the case with safety belts. The real task here is to get people to use their belts, whether through State safety belt use laws, educational programs, insurance rates, or other means.

Last month, the Department of Transportation reported the results of observations in 19 U.S. cities from January through June of this year. DOT found that driver belt use had reached a record 42 percent, up from 39 percent last year. If this doesn't seem very high to you, remember that in 1982, before States began passing mandatory safety belt use laws, the rate was about 11 percent.

I would like to mention that my own home area of Miami, where there is a mandatory use law, was the champion of these 19 cities, with a whopping 71 percent of drivers buckling up.

In announcing the belt use rates, then-DOT Secretary Elizabeth Hanford Dole said, "Among front seat passenger vehicle occupants, safety belts saved about 2,200 lives in 1986. We estimate that 1,450 of those lives were saved and 20,000 injuries were prevented as a direct result of State safety belt use laws * * * . If the Nation achieved 100 percent belt usage, a total of 10,000 to 12,000 lives could be saved each year."

Numbers like that ought to make a few more people reach for a safety belt the next time they get in a car.

But efforts to improve vehicle safety do not end with safety belt use by drivers and front seat passengers. Over a year ago, the National Transportation Safety Board [NTSB] issued a report recommending that the National Highway Traffic Safety Administration [NHTSA] require the installation of three-point, or lap/shoulder, belts as standard equipment in the rear seat outer positions of newly manufactured passenger vehicles.

While NHTSA Administrator Diane Steed testified before the Transportation Appropriations Subcommittee, which I chair, that NHTSA would commence a rulemaking on this recommendation, she indicated that the agency would issue an advance notice of proposed rulemaking instead of proceeding directly to a notice of proposed rulemaking. This means the most cumbersome and time-con-

suming process would be used in addressing a critical safety issue.

I wrote to then-Secretary Dole in May, and, with my friend JOHN DINGELL, again in June, to urge the Department to skip the first phase and expedite the rulemaking process. The Department's responses have not been satisfactory and, in fact, the stretching out of this rulemaking may actually discourage automobile manufacturers from installing three-point belts, as some had planned to do, if they cannot be sure that belts they install will meet some future Federal standard.

Another area that needs prompt attention is the extension of occupant restraint requirements to light trucks and vans, as well as the development of additional safety standards for this class of vehicles. A fuller discussion of light truck and van safety can be found on pages 86-89 of House Report 100-202, which accompanies the Transportation and Related Agencies appropriation bill, 1988, but I would just observe here that these vehicles are more and more being used to carry passengers, and often children, in families, car pools, scout troops, and the like. This fact alone argues strongly for speedy action.

Mr. Speaker, much remains to be done in improving highway safety, but convincing people to buckle up and to be sure their children are correctly held in correctly used child safety seats is a major component of any successful program. The attention to safety belt use that a national day provides should help in highlighting how easily each person who travels by car can improve his or her own safety on the road.

Mr. TAUKE. Mr. Speaker, I am pleased to participate in the special order today which was arranged by the distinguished chairman of the House Energy and Commerce Committee, Mr. DINGELL, in order to commemorate National Safety Belt Use Day. I commend him for his work in promoting the life-saving benefits of safety belt and child safety seat use.

Earlier today I attended a luncheon sponsored by the American Coalition for Traffic Safety to honor law enforcement officers from around our Nation whose lives were saved by safety belts. I am pleased to report that one of those honored today was Officer Timothy Reynolds of the Cedar Rapids Police Department, in Cedar Rapids, IA.

Officer Reynolds was driving in the southbound lanes of Interstate 380 on February 7, 1987, in his patrol car when another vehicle suddenly cut in front of his car. Officer Reynolds swerved to avoid a collision, but unfortunately lost control of his car. Officer Reynolds' vehicle ran off the road and flipped over in the median. The car continued to roll and ended up back on the side of the highway where it landed right side up. Officer Reynolds unbuckled his safety belt, which had kept him safely in place, and climbed out of his wrecked vehicle. His only injuries were some minor cuts caused by fragments from the shattered windshield. Officer Reynolds lived to tell of the value of wearing a safety belt, and his story demonstrates how suddenly an accident can occur when driving or riding in a motor vehicle.

Officer Reynolds' story is just one about how the use of safety belts in motor vehicles save lives. National statistics conclusively

demonstrate that thousands of Americans would be alive today if they had only taken a moment to fasten their safety belts.

I travel about 25,000 miles a year by car as I tour my northeast Iowa congressional district. Fortunately, I have not had a brush with disaster such as that experienced by Officer Timothy Reynolds. However, I know I feel more secure after I've clicked my safety belt.

I hope that other Americans will join me in this simple, life-saving procedure.

Mr. SMITH of Florida. Mr. Speaker, I am pleased to rise as a cosponsor in support of House Joint Resolution 338, designating today as "National Safety Belt Use Day."

Statistics prove that seatbelts save lives and minimize injuries. It is encouraging to see that mandatory seatbelt laws for passenger autos have been passed or are now under consideration in every State legislature.

Safety must not stop with the passenger autos alone. I have introduced a bill which would protect our children as they travel to and from school. My bill, H.R. 1815 the National Schoolbus Safety Act, would require all new schoolbuses to be equipped with safety belts and all schoolbuses to be annually inspected by the appropriate State or local agency.

Child restraint laws are in effect in all 50 States. Airbags are under experimentation by auto manufacturers. My bill will protect children against one of the leading causes of death and injury in the United States—traffic accidents. I encourage my colleagues to join me in cosponsoring this legislation.

We have set aside today to acknowledge that traffic safety is a national issue. We must work together to promote the use of safety belts in all motor vehicles as together we strive to reduce traffic fatalities and save lives.

Mr. SKELTON. Mr. Speaker, I rise today to commemorate National Safety Belt Use Day. According to the National Highway Traffic Safety Administration, unrestrained occupants were 40 percent more likely to be injured in an accident and twice as likely to require hospitalization as restrained occupants. People who were thrown from their vehicles are 25 times more likely to be killed than if they stayed in their vehicle. More than three out of four people who were thrown from their vehicles in 1984 were killed. These numbers speak for the importance of safety belt use.

I am also speaking today in honor of a resident of my home district in Missouri, Trooper Royal Messick, of Blue Springs, is a member of the Missouri State Highway Patrol. Trooper Messick's vehicle was hit head on by a car operated by a driver who was on the wrong side of Highway 291. He was buckled up and suffered minor cuts in his mouth and chipped his teeth, his car was totaled. The other driver was not wearing his safety belt and suffered more serious injuries. Trooper Messick is living proof that safety belts work.

The use of safety belts not only saves lives and prevents serious injuries, it also keeps medical expenses and the cost of insurance down. The Federal Government, along with State and local governments, incur costs through tax losses, money paid to accident victims and their families through tax losses, money paid to accident victims and their families through public assistance programs, and

the costs incurred when Government workers are in accidents. Safety belt use impacts economics, but more importantly it impacts lives.

Mr. STUMP. Mr. Speaker, I rise to join the distinguished chairman of the House Committee on Energy and Commerce, the Hon. JOHN D. DINGELL, and our many colleagues, in supporting National Safety Belt Use Day, and honoring the participation of law enforcement officers from across the country.

Seatbelts have saved thousands of lives and prevented untold serious injuries, but many drivers and passengers persist in their apathy toward or outright disdain of seatbelts. Myths about seatbelts continue to persuade many to refrain from using them.

The accident which Lt. James A. Semenza, of Glendale, AZ, was involved in highlights the importance of wearing safety belts. With his emergency lights flashing, Lieutenant Semenza was racing to a shooting call when a drunk driver pulled out in front of his car unexpectedly. Semenza's vehicle was traveling approximately 60 miles per hour when the cars collided. His car was totaled. The Phoenix police officer was wearing his safety belt and only suffered whiplash and a cut on the head.

While Officer Semenza obviously did not desire to become a statistic in this manner, he is one of thousands of drivers saved from death or disability by seatbelts every year.

Those who would discount the relevance of his experience to their own driving, by rationalizing that Officer Semenza was merely lucky, should reexamine their thought process. Luck usually occurs when opportunity and preparation meet at the same point in time. Lieutenant Semenza had the opportunity to become a different statistic, one more traffic fatality caused by a drunk driver. Preparing himself for such a possibility, by using his seatbelt, placed his name in a much preferable statistical category.

Hopefully Officer Semenza's example, and commemorating National Safety Belt Use Day will convince more people to get lucky by using seatbelts all the time.

Mr. DINGELL. Mr. Speaker, I wish to thank the House for allowing me to conduct this special order and appreciate those of my colleagues who have taken the time to participate in this very special day.

□ 1600

CONFRONTING THE AIDS EPIDEMIC

The SPEAKER pro tempore. (Mr. GRAY of Illinois). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Mr. Speaker, it is really tough on a politician or a statesman when he cannot be heard, when the microphones shut off.

First I would like to start off by saying that I was happy today when H.R. 162 was being debated, that we were able to get an amendment added to that bill, thanks to the gentleman from California [Mr. DANNEMEYER], which provides that all health care

workers in this country would be notified of a person who has AIDS if they were going to be treating them.

This is extremely important to health care workers who do in basic procedures deal with people and their bodily fluids on a regular basis.

This probably should be expanded to include other people such as teachers who are going to be coming in contact with students who might get sick, who have the AIDS virus; and they are going to have to be made aware of the problem to deal with it, so they do not become exposed to the disease.

We took a step in the right direction, and I want to congratulate the House for having the foresight to vote for the Dannemeyer amendment to H.R. 162 which allows health care workers to be informed about who might be coming under their care that has the AIDS virus.

Here on my left are some charts, and these charts were developed by a Dr. Salzberg, Dr. Allan Salzberg, chief of the medical service for the Veterans' Administration in Miles City, MT.

This study ought to be looked at by every single Congressman and Senator and every person in America, because it projects to the year 2007 the number of people who are going to get the AIDS virus, how many people will die from the AIDS virus, the economic impact on our health care system, and the economic impact on our entire country if this AIDS epidemic is not handled properly.

I would like to read a couple of pages out of his analysis of this epidemic and his computer models, so that the people will know what we are talking about.

I will then get into the graphs, because these charts say more about it.

"AIDS is a unique threat. First it is a retrovirus which is incorporated into the genetic material of the cell." That means once you get the AIDS virus, it becomes a part of your cell structure, and each time a cell duplicates itself, each time you get a new cell, there is a new AIDS virus in that cell.

It becomes part of your makeup, so killing that AIDS virus would require that you kill the cell; and that is why finding a vaccine is so very difficult.

Second, it attacks the immune system; and third, it is deceptive in that, although it is not thought to be transmitted by casual contact, and we do not know that for sure, and has a very low infectivity per unit time, it has an average asymptomatic period of infectivity which is about 12 years which means the average person with the AIDS virus will carry the virus in their body for 12 years without anybody knowing they have it, unless they are tested, unless they have a test showing they have the AIDS virus.

The average person who has the AIDS virus will carry it for 12 years

and not know they have it. During that 12-year period, they can communicate this disease to anybody they come in contact with sexually, and the average person who has this virus is communicating it to one person every 1½ years, so in a 12-year period, the average person with the AIDS virus will infect eight other human beings, so that in a 12-year period, if you just had one person, it would multiply by eight; but those eight people are having contact with other people as well, so it has a tremendous mushrooming impact.

Furthermore, once infected, the victim carries the virus for life, and infected mothers have a 50-percent probability of transmitting it to their babies.

Once symptoms appear, once a person gets the symptoms of full-blown AIDS, the mortality rate is 100 percent. You die. Consequently, this disease is out of the ken of our experience, and accurate estimates of its true lethality are dependent on mathematical analysis. Estimates limited to 1991, as bad as they are must markedly underestimate the deadliness of this disease.

The Centers for Disease Control in Atlanta, GA, has projected the AIDS virus out through the year 1991, and they project that we are going to have about 290,000 people dead or dying by that year; but they do not go beyond the year 1991.

What Dr. Salzberg has done with his compatriots is use the computer models that have been used thus far projecting it through 1991; and using the studies of cohorts and others involving the homosexual community, hemophiliacs who have gotten the virus through blood transfusions, and other groups, he has projected it out through the year 2007, 20 years from now.

The interesting thing about his study is that it parallels the CDC study almost to a "T" through the year 1991, so his studies dovetail almost exactly what CDC has come up with, and that is the main information-gathering body here in the United States dealing with this disease.

He says that we have developed a mathematical model of this disease using a heterogeneous population consisting of high- and low-risk groups, gay males and IV drug users primarily. The computer results which will appear later have been duplicated by other investigators independently, including a group at Los Alamos.

Given 1.2 million carriers, 1.2 million people infected with the virus, 40,000 cases of which 2,000 are in the low-risk heterosexual population, 24,000 deaths and a date of entry in the United States of 1976, we derived the following:

Here is where I will start talking about this study, because he used a

low figure of 1.2 million people estimated to be infected with the virus.

The CDC said 18 months ago, we have 1½ million people infected, and yet this doctor started his study at 1.2 million infections today.

The disease, the epidemic has been spreading at a rate of doubling every 10 to 12 months, so if CDC said we had 1½ million people infected 18 months ago, it is logical to assume we have at least 3 to 4 million people infected today; but Dr. Salzberg, to be conservative with his study, started with the figure of 1.2 million infections, so he started very low in my opinion.

Look at his study. The first chart here shows the number of people that, or shows the probability of getting the AIDS virus if you are infected with it going through 20 years.

Notice the green figures here, through 1991, and the blue figures which Dr. Salzberg came up with are almost identical; but it goes on out for 20 years and through 10 years. That is as far as the CDC went. Fifty percent of the people who get the AIDS virus will get full-blown AIDS and die.

If you go out 20 years, you will see that 80 percent of the people with the AIDS virus will get full-blown AIDS and die, so the mean period of carrying the disease in your system is 12 years before getting full-blown AIDS; but as you go into the out years, the percentage of people infected that will get full-blown AIDS that are infected with it will get higher and higher.

Some scientists believe beyond the 20-year figure, 100 percent of the people with the AIDS virus will ultimately die. For 20 years 80 percent of those who have the virus will get AIDS and die.

The next chart shows the number of people infected with the AIDS virus. We have four figures here. The low figure, the low line there shows what will happen if we start testing, testing everybody in 1980 in our society to really get a handle on it.

He shows what happens if you start testing in 1988. If you start testing in 1988, we are going to have approximately 1 to 2 million people infected with the AIDS virus. It is not going to get much worse.

Basing this on his figure of 1.2 million, based upon those figures, you can see from the chart that the increase in the epidemic is controlled.

If you wait until 1990, the second line from the bottom, you can see that it goes up to about 3 million people who have the actual virus.

We start testing in 1990. We have between 3 and 4 million infected according to his figures by 2007. If you go up to 1994 to start the testing program, it goes up dramatically; and you are looking at over 10 million, and if you do not do any testing, conduct ourselves in the same manner we have

been conducting business as we have in the past, you are looking at an unbelievable figure by the year 2007.

I have these figures down here on my chart. I will read this off this chart rather than alluding to the graph that we have here.

The chart follows:

TABLE I.—EFFECTS OF STRATEGIES TO COUNTER THE AIDS PANDEMIC—(ASSUMES TESTING BEGINS 1990)

| Strategy and year | Dead plus sick ¹ | Carriers ² | Dir. ³ | Tot. ³ | Saved ⁴ |
|---------------------------|-----------------------------|-----------------------|-------------------|-------------------|--------------------|
| Laissez faire, 1995 | 4.9 | 14.0 | \$380 | \$1,300 | |
| Education,* 1995 | 3.7 | 11.0 | 290 | 800 | \$90-\$500 |
| Testing,* 1995 | 2.2 | 3.3 | 220 | 740 | 160-560 |
| Learning,* 1995 | 1.8 | 2.4 | 183 | 593 | 197-700 |
| Learning plus test,* 1995 | 5.0 | 13.0 | 400 | 1,400 | 0-0 |
| Laissez faire, 2005 | 25.0 | 43.0 | 2,300 | 8,200 | |
| Education,* 2005 | 17.0 | 21.0 | 1,600 | 5,700 | 700-2,500 |
| Testing,* 2005 | 4.4 | 1.8 | 520 | 1,700 | 1,780-6,500 |
| Learning,* 2005 | 3.4 | 1.4 | 410 | 1,300 | 1,890-6,900 |
| Learning plus test,* 2005 | 16.0 | 14.0 | 1,700 | 6,000 | 600-2,200 |
| Learning plus test,* 2005 | 4.8 | 1.9 | 570 | 1,900 | 1,730-6,300 |

¹ In millions.
² Direct cost in billions.
³ Total cost in billions (includes lost productivity).
⁴ First number direct savings, second number total savings (in billions). Cumulative to year.
^{*} Education only cost \$500,000,000 per year with 30 percent average reduction in infection rates.
^{*} Testing plus education constant infection rates (\$3,000,000,000 per year).
^{*} Testing plus 30 percent average reduction in infection rates.
^{*} Initial infectivity high risk group 20 percent higher. 5 percent per annum decrease in infectivity.
^{*} Plus testing program beginning 1990.

TABLE II.—COMPARISON WITH CDC AIDS EXTRAPOLATIONS TO 1991

| Source | Deaths | Clinical (AIDS) | Carriers (millions) | Cost (billions) |
|--------------------|---------|-----------------|---------------------|-----------------|
| CDC ¹ | 200,000 | 270,000 | 4-5 | \$60 |
| Model ² | 310,000 | 340,000 | 4-5 | 38 |

¹ Assumes 50 to 60 percent carriers develop AIDS.
² Assumes all carriers develop AIDS—12 yr mean incubation.
 Note.—Costs depend on assumptions. If indirect costs due to premature death are included, the model's cost can rise to \$110,000,000,000. 1 yr later predicted direct costs go from \$38,000,000,000 to \$65,000,000,000.

According to Dr. Salzberg and his compatriots, if we start testing in 1990, if we start testing by 1990, we will have about 2.2 million Americans dead or dying from the AIDS virus. We will have about 3.3 million carriers. If we continue on the path we are on, and we do not do any testing by 1995, 7 years from now, we will have 4.9 million people in this country dead or dying and 14 million carriers, approximately 80 percent of whom will get full-blown AIDS in 12 years and die, so you can see that the number of people that are going to have full-blown AIDS by 1995 if we continue on the same path will be unbelievable.

It will be almost 5 million people dead or dying.

If we have almost 5 million people by 1995, and with fewer beds in hospitals, the health care industry is going to be inundated with patients.

I do not know how we will deal with the health care problem. The direct cost to our Nation will be \$380 billion if we used this worst-case scenario per

year, and the long-term cost will be \$1.3 trillion.

The national debt is a little over \$2 trillion right now, and the long-term costs from the AIDS epidemic alone of \$1.3 trillion.

If we start testing in 1990, and I think that is a reasonable time to project this out, because the Members right now are not of a mind to start a testing program, and it will take a little while to get up for it; but if we start by 1990, we can contain the epidemic, so we only have 2 million people dead or dying, and 2.4 to 3.3 million people who will be carriers, so there is a dramatic change based on whether we test or do not test.

You can see from this chart that if we do not test, when you get to the year 2005, we are going to have as many as 25 million people dead or dying. That is only 17 years from now, barring the United States of America or any other country in the world coming out with a vaccine or some kind of a cure which is not likely, because of the way the AIDS virus works.

If we continue on the path we are on with no testing, some kind of an educational program, we will have 25 million people dead or dying, and 43 million carriers, 80 percent of whom will get full-blown AIDS in 12 years and die, and that involves severe economic problems.

It will cost this country, if that happens by the year 2005, \$2.3 trillion a year with long-term costs of \$8.2 trillion.

If we do start a testing program by 1990, by the year 2005, 17 years from now, we are going to have only 3.4 to 4.4 million people dead or dying.

That is a lot of people, but it is a heck of a lot better than 25 million dead or dying; and we will see a decrease in the number of carriers because of education, a change in sexual attitudes, and the testing program.

We will see a downward trend in the number of people who are becoming infected. That will be between 1.4 and 1.8 million people based upon his projections.

This chart shows vividly what happens if we test and what happens if we do not test. I just covered these figures, and I hope you will look at that because the graph shows if we have a massive testing program, and how else are you going to find out who has the AIDS virus?

They talk about a voluntary testing program, but say one-fourth of the U.S. population came in voluntarily to be tested. That is 60 million people. Nobody believes that many are going to come in and say that we have 4 million who are infected today, and I think that is a relatively accurate figure.

If the 60 million who come in uncover 2 million of those infected, that

leaves 2 million unreported of the other 180 million not tested; and if they continue to spread the epidemic as in the past, they will infect 1 person every 18 months on an average, and that means another 8 people between the time they get the virus and the time they get full-blown AIDS.

□ 1615

So the epidemic will not be contained. It will spread completely out of control just as if we did no testing. Voluntary testing simply will not work. The only way to get a handle on this is to find out where it is spreading, how it is spreading, who is spreading it, and what course of action we should take to deal with it is through a massive testing program.

I have been beating on this and beating on this and some of my colleagues are starting to listen now, and I am very happy about that. We now have I think about six or eight sponsors or cosponsors of the testing bill. We started out with one and now we have about eight and I am hopeful that we will be able between now and 1988 or 1989 get a majority in this House so that we can get on with a testing program.

The testing program is going to cost \$1.5 to \$3 billion a year. I believe it will cost about \$1.5 billion if we do it on a massive scale.

A lot of people say, "Hey, my gosh, where are you going to come up with \$1.5 billion?"

The fact of the matter is we do not have it. We are already in a deficit position, but I do not know what else we are going to do. We are going to have to test and the \$1.5 billion a year is a drop in the bucket when you compare it to the projection by the year 2005 of \$2.3 trillion in annual costs. I mean, who can imagine that figure? Our national debt over the history of this country, the history of this Republic, is less than that \$2.3 trillion figure, and yet that is the annual cost for health care and loss to the economy by the year 2005 if we do not have a massive testing program. If you go to 1995, we are looking at \$380 billion a year or \$1.3 trillion long term.

So I do not know that we have any choice.

We also do not know all the ways that the AIDS epidemic is being spread. You know, the Center for Tropical Diseases in Miami, Dr. White-side and Dr. McCloud are absolutely certain that it is being spread in Belle Glade, FL, and Little Havana through mosquitoes. Now, many of my colleagues and friends do not believe that and many of the people at the Center for Disease Control in Atlanta and the HHS, the Health and Human Services Department, do not believe it is communicated that way. It may very well not be communicated that way, but

when you do find out that mosquitoes are transmitting the disease, we need to know about it, particularly in the tropical areas of this country where the mosquitoes are so prevalent, and if it is being spread that way from a person who has the AIDS virus to somebody else through mosquitoes, then we have got to go in with an eradication program to do away with those mosquitoes, just like when we started fighting yellow fever during the years when they were building the Panama Canal.

We do not have the luxury of time. We have to get on with it and every day that we wait, an estimated 5,000 to 10,000 new people are infected with the AIDS virus in this country.

Now, many people tell me that young people, people in their sexually active years, are changing their attitudes in the heterosexual community about sex. Well, in the homosexual community, the venereal diseases, gonorrhea and syphilis, have dropped like they are going off the table top.

Most people believe that the reason for that change is because they are so concerned about the AIDS virus that dramatic changes are taking place in their sexual attitudes and sexual behavior. Some are becoming monogamous. Anyhow, there is a dramatic decrease in syphilis and gonorrhea in the homosexual community in this country, but in the heterosexual community the men and women of this country, the heterosexual community in this country, syphilis and gonorrhea rates have not changed one bit. We have been advertising on television about safe sex. We have been talking about changing our attitudes. We have been talking about abstention so that people will not communicate the AIDS virus. It has fallen on deaf ears because people really do not believe we have a problem yet.

The thing that is so horrible about the AIDS virus is that you do not know you have it, if you have it, until you get the full blown AIDS, unless you are tested for it. Everybody you come in contact with is at risk because they do not know you have it. You do not know you have it, and as a result, if there is sexual contact, they very well might contract the disease and they have a carrying time of 12 years and everyone they come in contact with can get the disease as well.

So since we are not changing our sexual attitudes in this country, there is no manifestation of a change, then this timebomb is ticking and more and more people are contracting the disease and spreading it.

We do not have the luxury of time. We have to get on with a testing program. I am hopeful that soon my colleagues will realize the gravity of the situation and get on with the testing bill.

Now, the direct costs, I have talked about those, for those who are in their offices who are watching this, you can see that if we do not do any testing the cost goes through the roof. We are up into the trillions of dollars. If we start testing, the costs are still going to be high, but they are going to be something that we can probably deal with.

The problem is, how long do we wait? The more days we wait, the more months we wait, the more years we wait before we start a testing program, the more people are infected, the more people are going to die and the more it is going to cost us.

This country, in my view, will not be able to sustain the kind of costs that are going to be incurred through the AIDS virus and keep this economy in the situation and in that state that it is in right now. It is going to have devastating impacts on our economy, and on our health care system, as well as the loss of life.

So I think everybody in this country ought to pay attention to what is going on with the AIDS virus and try to become as educated as possible, and those who feel very strongly about it, as I do, should be contacting their friends, their neighbors, their elected representatives, and telling them that we have to get on with the testing program, because there is no other way.

If a person has the AIDS virus and they do not know they have it, why would they change their ways? They are going to continue on their merry way doing what got them the AIDS virus in the first place. The problem is, they do not look any different. It could be a football player, a cheerleader, an insurance man, a politician, it could be anybody and they do not have any manifestation of the disease. There is no way to tell.

I talked to a dental hygienist who was cleaning my teeth a couple weeks ago. I asked her how she felt about the virus. She was wearing a mask, goggles, an apron, gloves, everything. She told me that they received a circular from the Dental Hygienists Association for the United States and she gave me a copy of it. It said very clearly that you must take complete precautions any time you clean anybody's teeth because it is an invasive procedure. You are dealing with saliva and blood and if you had just a little nick on your hand, or maybe not even a nick on your hand, you are likely to be exposed to the AIDS virus.

We know that three health care workers got the AIDS virus just by having blood splashed on their hands and their faces. They did not even have cuts. Well, some said they had some acne on their skin and the AIDS virus might have gotten through the open lesions that way; but there were two of them who had no breaks in the skin, and yet they got the AIDS virus

by having blood splashed on them, so you can imagine a doctor, a surgeon, who is working on a person's heart or liver or spleen or leg, he is going to have to be very, very careful, and they have the right to know if the person they are dealing with has the AIDS virus.

Right now dental hygienists do not know and there is no way for them to know. She was telling me that they are all very concerned because occasionally they prick themselves with those sharp instruments when they are cleaning somebody's teeth. So they feel very strongly that testing, at least this one dental hygienist, felt very strongly that testing would give them a handle on the epidemic and give them a handle on protecting themselves, because if they know that somebody was coming in to have their teeth cleaned had the AIDS virus, they could do a number of things. They could double-glove, triple-glove, make sure they were not going to be touched by any of the bodily fluids so they would not get the AIDS virus, or they could, of course, elect not to treat them at all.

My concern about health care workers is this, and my concern about people who deal with other human beings in a very close relationship is this, that if we do not have testing and if they do not know with whom they are dealing regarding the AIDS virus, then those people are likely, the best qualified doctors, nurses, dentists, and so forth, are going to get out of the profession.

You know, dentists and doctors are some of the highest paid people in this country. If they make a lot of money and they have a lot of it invested properly, they may very well feel that it is not in their best interest to be at risk by dealing with these people on a day-to-day basis. That being the case, if they do not know whether or not the person they are working on has the AIDS virus, they very well might elect not to be a doctor or a dentist any longer or a dental hygienist.

I think that is a very real possibility as the epidemic spreads and grows, so I think it is extremely important that we think of all the factors and all the things that could happen if we continue to let the epidemic grow unabated.

I think I would just conclude by saying this is just the first step in dealing with the AIDS pandemic. We are going to have to do other things. Congressman DANNEMEYER and I are sponsoring legislation that would provide for contact tracing. If we have annual testing and we find out who has the AIDS virus, they have to be informed that they can no longer have contact with people outside the AIDS community and these people's names are going to have to be kept very secret, of course, in computers so that

only those who have to know will know who they are, health care workers, and so forth; but nevertheless, next year when we test again and have our annual tests if we find out that somebody new has developed the AIDS virus, we will want to find out where they got it and how they got it and if they got it from somebody who already has the AIDS virus and has been advised that they had the AIDS virus and yet they continue to infect other human beings, those people are going to have to be dealt with. We are going to have to do something to make people responsible, because if you give somebody the AIDS virus knowingly, you might just as well have shot them with a 38-caliber revolver in the head. The only difference is you are committing them to a 12- or 14- or 16-year period where they are going to have to suffer a great deal; so a person who knowingly communicates the AIDS virus is just as guilty of murder as a person who does that with a gun, so we are going to have to deal with the situation of contact tracing and what to do when we find people who can continually communicate this virus.

Now, you might say that that is unthinkable that somebody would communicate the AIDS virus knowingly. I want to read to you an article that was in the Boston Globe recently.

Incidentally, before I read the article, I want to tell you something. Howard University did a study here in Washington, DC. They had not completed their study, but up to the time that this was reported to the press, in the Washington Post, 50 percent of the prostitutes that they had tested in Washington, DC, had the AIDS virus, and yet those prostitutes, to my knowledge, did not change their mode of operation. They are still down on 14th Street and around Washington, DC, plying their trade and there is no law that says they cannot do that. I mean, there are laws against it, but there is no criminal penalty to keep them from going out there and infecting other human beings, even though so far we know that 50 percent of the prostitutes in this town have the AIDS virus.

This is a story about a prostitute in Boston, MA, and was written by columnist Mike Barnicle. It was February 18 of this year, 1987. It is headed "Disorderly, and Worse."

DISORDERLY, AND WORSE

(By Mike Barnicle)

Toward 4 o'clock Sunday morning detectives Vinnie Logan and Jack Crowley arrested a woman at the corner of Washington and Stuart streets. The temperature was near zero and the wind made both cops feel as if they were standing in downtown Vladivostok as soon as they got out of their car.

The woman, 29, wore a long black coat and blue jeans and had spent the early morning hours patrolling the edge of the Combat Zone for the people desperate enough to pay for sex. As Crowley and

Logan pulled up, she stepped from the sidewalk into a Mercedes driven by a man from Weymouth.

They asked her to get out of the car and into the cruiser. Then, they drove to the Area A police station, walked her inside, took the elevator to the second floor, sat her down in a chair in Room 213 and proceeded to book her for a violation of Chapter 272:53: Soliciting and disorderly conduct.

"What's that on your wrist?" Vinnie Logan asked the woman.

"This," she said, acknowledging a plastic band, "is a hospital tag."

"What hospital?"

"Mass. General."

"What were you in for?" Logan wanted to know.

"AIDS," she answered.

"What's the matter with you?" Jack Crowley said. "Are you crazy? Don't you know how easy you can pass that on?"

"I don't care," she told him.

"You don't care?" the detective asked.

"No, I don't care."

As Crowley proceeded with the paperwork, the woman lifted her pants legs and rolled two pairs of socks down to her ankles. Blood and pus oozed from dark layers of several open sores that covered her shins.

"Oh, my God," Jack Crowley said.

Paying no attention to the detectives, she began to unwrap bandages from both legs. The bandages were black with dried blood and dead skin, and as she stripped them off, a smell of decaying flesh filled the small office.

Crowley became ill from the stench. Logan, stunned at the extent of the disease and the appearance of the woman, wondered why she did not remain in the hospital.

"But she's a junkie," Vinnie Logan was saying later. "She'd do anything to feed her habit. She was going to charge the guy in the Mercedes \$30, but if the guy only had two bucks on him, she would've taken that."

"She's 29," Jack Crowley said. "And she looked 60."

"I said, 'Why didn't you stay in the hospital?'" said Vinnie Logan. "She said, 'Because I don't care.'"

By 5 a.m., Logan and Crowley had finished the paperwork on the arrest. They called a wagon to transport her to detention in the Suffolk County court house and notified the guards that a prisoner with AIDS was on the way up.

Arriving at the lockup, she was placed in a cell, alone. "She sat in the cell picking lice from open sores," a guard said. Around 11 o'clock Sunday morning, she was released after a bondsman posted \$120 bail to gain her freedom.

This morning, she is scheduled to appear in the second session at Boston Municipal Court. There, she will answer to the charge of being a disorderly person.

Obviously, there is more.

She is dying and because her condition is terminal and highly infectious, she is a walking public health threat. Due to her occupation—prostitute—she is also more dangerous than a loaded gun out on the street.

Yet there is no set of written guidelines for police to follow her. If the woman had been involved in a car accident, had been shot or stabbed, she would have been taken to a hospital for treatment; EMTs would have responded; nurses and doctors would have acted to combat injury and stem bleeding.

But early last Sunday morning, there was none of this. Instead, she is a strolling time

bomb, too ill to think clearly, too junked-up to care about or dwell on the fact that any sexual encounter she engages in offers the strong possibility of a death sentence for a customer.

"What do you do?" asked Jack Crowley. "Can we restrain her? Can we hold her in a hospital against her will? Something's got to be done."

"She's the second prostitute with AIDS we've picked up in a week," Vinnie Logan said. "I don't even want to guess how many other girls working the Zone have it. But this one Sunday, I've never seen a worse case. She's like the walking dead and unless something's done, she's going to be back on the street passing it on to others. Hey, she already made bail so she's probably out there right now."

□ 1630

This is the problem we face, I say to my colleagues. There are no laws, no criminal penalties to deal with this problem, to deal with this woman or other prostitutes who are spreading the disease. There are no laws in many States to deal with a person who knowingly gives blood to a blood bank when they have the AIDS virus or know they have been exposed to the AIDS virus. They say, well, we have these tests that will show whether the person has AIDS when they give blood.

That is true, but I say our blood supply is probably 95 or 96 percent safe, because the fact of the matter is that there are about 4 percent of the people that are not being picked up by this test when they give blood and the reason is because the test we have so far does not show a person has the AIDS virus in many cases for the first 4 to 6 weeks. If a person has the AIDS virus and just contracted it within the last month or so there is a possibility, a good possibility, that they can give blood and not know they have it and it will not show up on the test. So the blood goes into the blood supply and there is a risk for all of us who may be involved in an accident and need that particular blood type to save our lives.

There is a lot of difficulty with the AIDS virus. It is a pandemic. It is just not an epidemic. I used the analogy of the bubonic plague which wiped out half of Europe during the 14th and 15th centuries. That disease was spread by a rat flea biting a human being and that disease became so bad that they would nail windows on houses shut and burn people alive the minute somebody said "plague."

We do not want that kind of thing to happen in the United States. We want to have an orderly way to deal with this epidemic but if it gets out of control, because we have not done the proper things today, then we are going to have a real problem on our hands, not only economically but as far as dealing with it as a civilization.

I think it is important that we get down to the hard decisions today be-

cause we know the epidemic is there. We know it is coming. We know that 290,000 to 300,000 people are going to be dead or dying by 1991 because they already have the disease. We know there are probably another 1½ to 4 million people out there with the disease who are going to get full blown AIDS in the next 12 years, and die from it. So we better get on with testing so we know who has it, how it is spreading, where it is spreading and how to deal with it.

If we do not, we may be facing a problem that humankind has never seen in the history of this Earth. This is just not political rhetoric, this is fact. The bubonic plague wiped out half of Europe. That disease mutated. It mutated in the carrier to where it became an aerosol spread disease through coughing and spitting and it became known as the pneumonic plague, not just bubonic plague.

That is why it was so deadly. The AIDS virus mutates within each individual carrier. If a person gets the AIDS virus it will change its characteristics from cell to cell.

The gentleman from California [Mr. DANNEMEYER] told me that he has talked to a scientist in New Mexico who said that there are a thousand variations of the AIDS virus now. We are going to have trouble dealing with just that facet of it through testing and coming up with a vaccine, if that is at all possible to do. But the fact of the matter is it is mutating inside carriers right now. We need to get on with it because it very well might mutate into the kind of situation that the bubonic plague did where it is communicated through coughing. Then we would have a terrible problem.

In Africa today, the World Health Organization says this disease will be totally out of control. Nobody knows how many millions of people are going to die. In Africa they do not have the luxury of good health care or an educational system to deal with it or resources to deal with it either. But we do here.

The only thing we do not have right now is the will to do what is necessary. Nobody likes to violate a person's civil rights. I have been an advocate of civil rights and supporting people's civil rights since the day I entered public life in 1966, but this is a national health emergency and national health emergencies transcend everything because the health of the Nation is at stake.

When we had the tuberculosis epidemic we came up with sanitariums. We mandated that every child in school have a patch test. I remember taking one and I believe my colleagues do as well.

We had mandatory tests for syphilis and other venereal diseases in the past. This is no different.

The only difference is do we have the will to deal with it now or are we going to wait another 5 or 10 years until we are going to have tens of millions of people at risk of dying?

I hope just one or two of my colleagues heard this message tonight, and I hope just a few of them will think about looking hard at this study.

This study has been sent to every one of my colleagues' offices, every Congressman and Senator has one on their desk or on the desk of one of their employees. This computer model from Dr. Allen Salzberg is one that I urge my colleagues to look at, to study, and if you come to the conclusions that I have, please help me by cosponsoring the legislation that will mandate testing starting by no later than 1990 so we can get a handle on this terrible epidemic before it jeopardizes every human life in this country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. YOUNG of Alaska) to revise and extend their remarks and include extraneous material:)

Mr. McMILLAN of North Carolina, for 5 minutes, today.

Mr. YOUNG of Alaska, for 5 minutes, today.

Mrs. BENTLEY, for 60 minutes, on October 20 and 21.

Mrs. BENTLEY, for 60 minutes, on October 27.

(The following Members (at the request of Mr. GONZALEZ to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WEISS, for 5 minutes, today.

Mr. WYDEN, for 15 minutes, today.

Mr. GONZALEZ, for 60 minutes, on October 19.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. YOUNG of Alaska) and to include extraneous matter:)

Mr. BUECHNER.

Mr. FAWELL.

Mr. MILLER of Ohio in three instances.

Mr. BROOMFIELD in two instances.

Mr. OXLEY.

Mr. EMERSON.

Mr. HASTERT.

Mr. SCHUETTE.

Mr. SOLOMON.

Mr. SHUMWAY.

Mr. DUNCAN.

Mr. LENT.

Mr. HOUGHTON.

Mr. FIELDS.

Mrs. BENTLEY.

Mr. HENRY.

Mr. FISH.

Mr. HEFLEY.

Mr. GALLO.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. DOWNEY of New York.

Mr. WOLPE in two instances.

Mr. SMITH of Florida in two instances.

Mr. UDALL.

Mr. RODINO.

Mr. GARCIA.

Mrs. COLLINS.

Mr. LEVINE of California.

Mr. SAWYER.

Mr. MRAZEK.

Mr. COLEMAN of Texas.

Mr. TORRES.

Mr. BONIOR of Michigan.

Mr. OWENS of New York.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1783. An act to extend certain protections under title 11 of the United States Code, the Bankruptcy Code; to the Committee on the Judiciary.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1666. An act to amend title 5, United States Code, to provide for the extension of physicians comparability allowances and to amend title 37, United States Code, to provide for special pay for psychologists in the commissioned corps of the Public Health Service.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 83. Concurrent resolution to congratulate Costa Rican President Oscar Arias Sanchez on being awarded the 1987 Nobel Peace Prize; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. SKAGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Monday, October 19, 1987, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

2251. Under clause 2 of rule XXIV, a letter from the Administrator, General Services Administration, transmit-

ting a copy of a proposed lease prospectuses, pursuant to 40 U.S.C. 606(a), was taken from the Speaker's table and referred to the Committee on Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BENNETT: Committee on Armed Services. H.R. 3283. A bill to allow the obsolete submarine U.S.S. *Turbot* to be transferred to Dade County, FL, before the expiration of the otherwise applicable 60-day congressional review period (Rept. 100-371). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on the Judiciary. H.R. 1631. A bill to accept the findings and implement the recommendations of the Commission on Wartime and Internment of Civilians with respect to the Aleut people; with amendments (Rept. 100-372). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 3449. A bill to amend title 38, United States Code, to improve health-care programs of the Veterans' Administration; with amendments (Rept. 100-373). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORD of Michigan: Committee on Post Office and Civil Service. H.R. 3395. A bill making technical corrections relating to the Federal Employees' Retirement System, and for other purposes; with an amendment (Rept. 100-374). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORD of Michigan: Committee on Post Office and Civil Service. H.R. 3396. A bill to provide for the rehiring of certain former air traffic controllers (Rept. 100-375). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SCHROEDER: Committee on Post Office and Civil Service. H.R. 3400. A bill to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitation, and for other purposes (Rept. 100-376). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DE LA GARZA (for himself, Mr. JONES of Tennessee, Mr. COLEMAN of Missouri, Mr. GLICKMAN, Mr. VOLKMER, Mr. JONTZ, Mr. EMERSON, Mr. STENHOLM, Mr. MORRISON of Washington, Mr. GUNDERSON, Mr. MADIGAN, Mr. ROBERT F. SMITH, Mr. JEFFORDS, Mr. MARLENEE, Mr. SCHUETTE, Mr. GRANDY, Mr. THOMAS of Georgia, Mr. TALLON, Mr. STANGELAND, Mr. STAGGERS, and Mr. ESPY):

H.R. 3492. A bill entitled "The Rural Crisis Recovery Program of 1987"; to the Committee on Agriculture.

By Mr. SWIFT:

H.R. 3493. A bill to amend the Communications Act of 1934 to ensure compliance with the public interest standard of that act in the issuance, renewal, and transfer of broadcasting licenses, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GLICKMAN (for himself, Mr. MADIGAN, Mr. STENHOLM, Mr. MARLENEE, Mr. HUCKABY, Mr. JEFFORDS, Mr. ENGLISH, Mr. ROBERTS, Mr. STANGELAND, Mr. JONTZ, Mr. HARRIS, and Mr. SCHUETTE):

H.R. 3494. A bill to amend the Food Security Act of 1985 and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS:

H.R. 3495. A bill to amend the Railroad Retirement Act of 1974 to eliminate the requirement that divorced wives' husbands must retire before divorced wives are eligible for an annuity under the act; to the Committee on Energy and Commerce.

By Mr. BOSCO:

H.R. 3496. A bill relating to the administration of the act providing for the restoration of the Klamath River basin fishery resources; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

By Mr. HALL of Texas (for himself and Mr. SCHEUER):

H.R. 3497. A bill to require the President to take appropriate actions domestically and internationally to establish a Global Change Research Program aimed at understanding the cumulative impacts of man on his environment; jointly, to the Committees on Science, Space, and Technology and Foreign Affairs.

By Mr. HOWARD (by request):

H.R. 3498. A bill to amend title 23, United States Code, to provide for the construction of new toll highways and for other purposes; to the Committee on Public Works and Transportation.

By Mr. JONES of North Carolina (for himself and Mr. MORRISON of Washington):

H.R. 3499. A bill to amend the Nuclear Waste Policy Act of 1982 to encourage the continuation of research on the subseabed disposal of nuclear waste by establishing an Office of Alternative Disposal Methods, and for other purposes; jointly, to the Committees on Interior and Insular Affairs; Energy and Commerce; Science, Space, and Technology; and Merchant Marine and Fisheries.

By Mr. HUGHES (for himself, Mr. MCCOLLUM, Mr. HERTEL, Mr. MAZZOLI, Mr. FEIGHAN, Mr. SMITH of Florida, Mr. STAGGERS, Mr. SHAW, Mr. CROCKETT, and Mr. SMITH of Texas):

H.R. 3500. A bill to amend title 18, United States Code, to provide increased penalties for certain major frauds against the United States; to the Committee on the Judiciary.

By Mr. RINALDO (for himself, Mr. MICHEL, Mr. MADIGAN, Mr. ROYBAL, Mr. DAUB, Mr. REGULA, Mr. HUGHES, Mr. SLAUGHTER of Virginia, Ms. SNOWE, Mr. GUNDERSON, Mr. HAMMERSCHMIDT, and Mr. SAXTON):

H.R. 3501. A bill to amend the Internal Revenue Code of 1986 to encourage the coverage of older Americans by private long-term care insurance; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. STENHOLM (for himself, Mr. JEFFORDS, Mr. JONTZ, and Mr. GUNDERSON):

H.R. 3502. A bill to amend the Federal Meat Inspection Act to require meat food products containing imitation or alternate cheese to be labeled to reflect the fact that imitation or alternate cheese is contained therein; to the Committee on Agriculture.

By Mr. WEISS:

H.R. 3503. A bill to amend the Internal Revenue Code of 1986 to disallow the deduction for advertising or other promotion expenses with respect to sales of tobacco products unless the taxpayer pays for a certain amount of advertising on the health effects of smoking; to the Committee on Ways and Means.

By Mr. FLAKE:

H.J. Res. 377. Joint resolution designating March 27, 1988, as "National Black American Inventors Day"; to the Committee on Post Office and Civil Service.

By Mr. KASICH:

H.J. Res. 378. Joint resolution to designate August 1-8, 1988, as "National Harness Horse Week"; to the Committee on Post Office and Civil Service.

By Mr. SHUMAY:

H.J. Res. 379. Joint resolution designating the week of November 8-November 14, 1987 as "National Community Care Week"; to the Committee on Post Office and Civil Service.

By Mr. TAUZIN:

H.J. Res. 380. Joint resolution designating March 18, 1988, as "National Energy Education Day"; to the Committee on Post Office and Civil Service.

By Mr. WEISS:

H. Res. 286. Resolution expressing the sense of the House of Representatives that the Federal Government should encourage both electronic and print media to air or print more antismoking ads as a public service; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 135: Mr. ACKERMAN, Mr. ANDERSON, Mr. BADHAM, Mrs. BENTLEY, Mr. BIAGGI, Mr. BEILENSON, Mr. BILBRAY, Mr. BUECHNER, Mr. BUSTAMANTE, Mr. ESPY, Mr. LUNGREN, Mr. DIOGUARDI, Mr. DEWINE, Mr. ERDREICH, Mr. FISH, Mr. FROST, Mr. STOKES, Mr. CARDIN, Mr. GREEN, Mr. FAZIO, Mr. HARRIS, Mr. HUNTER, Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. MATSUI, Mr. MARTINEZ, Mr. McGRATH, Mr. GARCIA, Mr. OLIN, Mr. OWENS of New York, Mr. SCHUMER, Mr. SIKORSKI, Mr. SISISKY, Mr. SKELTON, Mr. SMITH of Florida, Mr. SOLARZ, Mr. SCHEUER, Mr. MACK, Mr. WEBER, Mrs. MORELLA, Mr. LENT, Mr. WYDEN, Mr. HORTON, Mr. ASPIN, Mr. WELDON, and Mr. CONYERS.

H.R. 303: Mr. KILDEE, Mr. PERKINS, Mr. TALLON, Mr. SAWYER, Mr. BATES, Mr. BRUCE, Mr. BURTON of Indiana, and Mr. TORRICELLI.

H.R. 458: Mr. HILER.

H.R. 612: Mr. HALL of Ohio and Mr. ASPIN.

H.R. 709: Mr. PANETTA.

H.R. 817: Mr. RIDGE.

H.R. 911: Mr. MURTHA, Mr. WILLIAMS, Mr. CONTE, Mr. LEHMAN of California, Mr. DURBIN, Mr. MORRISON of Washington, Mr. WALKER, Mr. LENT, Mr. DORNAN of California, Mr. SCHEUER, Mr. LEACH of Iowa, Mr. KANJORSKI, Mr. RHODES, Mr. OXLEY, Mr.

VANDER JAGT, Mr. CARR, Mr. NIELSON of Utah, and Mr. RITTER.

H.R. 993: Mr. MANTON.

H.R. 1005: Mr. CLAY, Mr. DE LUGO, Mr. OWENS of New York, Mrs. COLLINS, Mr. MILLER of California, Mr. SAVAGE, Mr. DIXON, Mr. WISE, Mr. LELAND, and Mr. FORD of Tennessee.

H.R. 1115: Mr. HOUGHTON, Ms. OAKAR, Mr. SAXTON, and Mrs. ROUKEMA.

H.R. 1259: Mr. HOWARD, Mr. ANTHONY, and Mr. CALLAHAN.

H.R. 1352: Mr. ST GERMAIN, Mr. SIKORSKI, and Mr. EVANS.

H.R. 1356: Mr. STAGGERS.

H.R. 1428: Mr. DONALD E. LUKENS and Mr. PACKARD.

H.R. 1600: Mr. MICHEL, Mr. ANNUNZIO, Mr. SPENCE, Mr. COATS, Mr. WALKER, Mr. COLEMAN of Missouri, Mr. WEBER, Mr. COBLE, Mr. MILLER of Ohio, Mr. DAVIS of Michigan, Mr. SLAUGHTER of Virginia, Mr. BILIRAKIS, Mr. LIGHTFOOT, Mr. COUGHLIN, Mr. ROTH, Mr. HYDE, Mr. BOEHLERT, Mrs. SMITH of Nebraska, Mr. COMBEST, Mrs. MEYERS of Kansas, Mr. HORTON, Mr. MOLINARI, Mr. QUILLEN, Mr. SOLOMON, Mr. NIELSON of Utah, Mr. PORTER, Mrs. BENTLEY, Mr. WOLF, Mr. HOPKINS, Mr. SMITH of New Hampshire, Mr. HUNTER, Mr. WELDON, Mr. DAVIS of Illinois, Mr. DENNY SMITH, Mr. HUGHES, Mr. FLIPPO, Mr. McMILLAN of North Carolina, Mr. INHOFE, Mr. RHODES, Mr. BLILEY, Mr. LIVINGSTON, Mr. CRANE, Mr. DAUB, Mr. DANIEL, Mr. SMITH of Florida, Mr. STUMP, Mr. REGULA, Mr. SCHAEFER, Mr. HEFLEY, Mr. ROWLAND of Connecticut, Mr. STOKES, Mr. LUNGREN, Mr. LAGOMARSINO, Mr. BOULTER, Ms. KAPTUR, Mr. BEVILL, Mr. DONALD E. LUKENS, Mr. DANNEMEYER, Mr. RIDGE, Mr. BIAGGI, Mr. HOLLOWAY, Mr. DIOGUARDI, Mr. ROE, Mr. LAFALCE, Mr. YOUNG of Florida, Mr. McEWEN, Mr. SHUMWAY, Mr. HUTTO, Mr. BATEMAN, Mr. BROWN of Colorado, Mr. MONTGOMERY, Mr. SMITH of New Jersey, Mr. WORTLEY, Mr. WILSON, Mr. OXLEY, Mr. YOUNG of Alaska, Mr. UPTON, Mr. BUECHNER, Mr. BURTON of Indiana, Mr. DEWINE, and Mr. SAXTON.

H.R. 1631: Mr. MINETA.

H.R. 1721: Mr. DAVIS of Illinois.

H.R. 1808: Mr. CARPER and Mr. EVANS.

H.R. 1810: Mr. FLORIO and Mr. DE LUGO.

H.R. 1920: Mr. KILDEE.

H.R. 1933: Mrs. JOHNSON of Connecticut, Mr. WYDEN, and Mr. DAVIS of Illinois.

H.R. 1966: Mr. SIKORSKI and Mr. EVANS.

H.R. 2212: Mr. RICHARDSON, Mr. DELLUMS, Mr. WOLPE, Mr. FEIGHAN, Mr. BUSTAMANTE, Miss SCHNEIDER, Mr. GILMAN, Mr. ATKINS, Mr. MARTINEZ, Mr. MORRISON of Connecticut, Mr. CLAY, Mr. BATES, Mrs. JOHNSON of Connecticut, Mr. DEFazio, and Mr. CLARKE.

H.R. 2248: Mr. IRELAND, Mr. WELDON, and Mr. ROBINSON.

H.R. 2348: Mr. SCHUETTE.

H.R. 2400: Mr. SMITH of Florida.

H.R. 2456: Mr. LANTOS and Mr. FISH.

H.R. 2532: Mr. BRYANT, Mr. DAVIS of Michigan, Mr. BORSKI, Mr. ROE, and Mr. BATES.

H.R. 2537: Mr. MANTON.

H.R. 2666: Mr. NOWAK, Mr. OWENS of New York, Mr. HORTON, and Mr. MATSUI.

H.R. 2690: Mr. BORSKI and Mr. BRYANT.

H.R. 2717: Mr. SOLARZ, Mr. WOLPE, Mr. AKAKA, Mr. ROE, Mr. ST GERMAIN, Mr. DELLUMS, and Mr. JACOBS.

H.R. 2727: Mr. CONYERS and Mrs. CROCKETT.

H.R. 2833: Mr. MRAZEK.

H.R. 2846: Mr. OWENS of New York and Mr. RINALDO.

H.R. 2873: Mr. McEWEN, Mr. COURTER, Mr. MILLER of California, Mr. EMERSON, Mr.

SMITH of Florida, Mr. STALLINGS, Mr. IRELAND, Mr. ECKART, Mrs. BENTLEY, Mr. KANJORSKI, Mr. HENRY, Mrs. MARTIN of Illinois, Mr. BATEMAN, Mr. NEAL, Mr. DYSON, Mrs. SCHROEDER, Mr. DANNEMEYER, Mr. TOWNS, Mr. DARDEN, Mr. MRAZEK, Mr. OXLEY, Mr. WORTLEY, Mr. BRYANT, Mr. STAGGERS, Mr. SCHAEFER, Mr. GILMAN, Mr. DIOGUARDI, Mr. JOHNSON of South Dakota, Mr. LANCASTER, Mr. WOLPE, Mr. HUGHES, Mr. DEWINE, Mr. FAZIO, Ms. KAPTUR, Mr. BROWN of Colorado, Mr. BUSTAMANTE, Mr. BAKER, Mr. LAGOMARSINO, Mr. FISH, and Mr. RAY.

H.R. 2879: Mr. HOWARD.

H.R. 2928: Mr. McMILLEN of Maryland and Mr. BRYANT.

H.R. 2953: Mr. BOEHLERT, Mr. CLINGER, Mr. DAUB, Mr. GREEN, Mr. HYDE, Mr. LAFALCE, Mr. LIPINSKI, Mr. PETRI, Mr. RINALDO, Mr. SHARP, Mr. SMITH of Texas, and Mr. STAGGERS.

H.R. 3011: Mr. ROEMER, Mr. OWENS of Utah, Mr. WISE, Mr. BRENNAN, Mrs. BENTLEY, Mr. HUBBARD, and Mr. MRAZEK.

H.R. 3071: Mr. YATES and Mr. MOODY.

H.R. 3114: Mr. SCHUETTE.

H.R. 3132: Mr. MORRISON of Connecticut, Mr. DE LUGO, and Mr. DWYER of New Jersey.

H.R. 3204: Mr. DURBIN and Mr. ALEXANDER.

H.R. 3314: Mr. BENNETT, Mr. RODINO, Mr. OBEY, Mrs. KENNELLY, Mr. FISH, Mr. ROE, Mr. SMITH of Florida, Mr. MARTINEZ, Mr. WILSON, Mr. SPRATT, Mr. DYSON, Mr. BATES, Mr. HAYES of Louisiana, Mr. HUGHES, Mr. FAUNTROY, Mr. NEAL, Mr. FROST, Mr. DE LUGO, Mr. DORNAN of California, and Mr. BATEMAN.

H.R. 3336: Mr. UPTON, Mr. JOHNSON of South Dakota, Mr. DAVIS of Michigan, Mr. AKAKA, Mr. GOODLING, and Mr. DAVIS of Illinois.

H.R. 3348: Mrs. VUCANOVICH.

H.R. 3400: Mr. ASPIN, Mr. MacKAY, Mr. PANETTA, Mr. JONES of North Carolina, Mrs. PATTERSON, Mr. MURTHA, Mr. DERRICK, Mr. BEVILL, Mr. ENGLISH, Mr. BARNARD, Mr. WATKINS, Mr. HUTTO, Mr. PICKLE, Mr. STRATTON, Mr. SOLOMON, Mr. LIPINSKI, Mr. JENKINS, Mr. MOLINARI, Mr. PEPPER, Mr. SCHAEFER, Mr. PEASE, Mr. COUGHLIN, Mr. BUECHNER, Mr. DANIEL, Mr. PURSELL, Mr. SMITH of New Jersey, Mr. MILLER of Washington, Mr. MAZZOLI, Mr. SPRATT, Mrs. JOHNSON of Connecticut, Mr. WELDON, and Mr. SYNAR.

H.R. 3423: Mr. AUcoin, Mr. WYDEN, and Mr. DEFazio.

H.R. 3449: Mr. EDWARDS of California, Mr. BURTON of Indiana, Mr. APPLEGATE, Mr. DORNAN of California, Mr. DOWDY of Mississippi, Mr. SMITH of New Hampshire, Mr. EVANS, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. FLORIO, Mr. JOHNSON of South Dakota, Mr. JONTZ, Mr. LEATH of Texas, Mr. HEFNER, Mr. JENKINS, and Mr. RICHARDSON.

H.R. 3454: Mr. AKAKA, Mr. BARTLETT, Mr. BOULTER, Mr. CONYERS, Mr. DEFazio, Mr. EDWARDS of California, Mr. FAZIO, Mr. HAYES of Illinois, Mr. HENRY, Mr. JEFFORDS, Mr. MARTINEZ, Mr. NIELSON of Utah, Mr. PENNY, and Mr. STAGGERS.

H.R. 3472: Mr. ASPIN, Mr. AUcoin, Mr. BROWN of California, Mr. DEFazio, Mr. DORGAN of North Dakota, Mr. DOWNEY of New York, Mr. FAZIO, Mr. GREEN, Mr. MARKEY, Mr. MAVROULES, Mr. McCLOSKEY, Mr. OWENS of Utah, Mr. STARK, Mr. WEISS, and Mr. HOYER.

H.J. Res. 1: Mr. CHANDLER, Mr. DERRICK, Mr. DICKS, Mr. FAWELL, Mr. FLAKE, Mr. FOLEY, Mr. KENNEDY, Mr. LEWIS of Georgia, Mr. MILLER of Washington, Ms. PELOSI, Mr. ST GERMAIN, Mr. SYNAR, Mr. TORRICELLI, and Mr. WAXMAN.

H.J. Res. 43: Mr. APPLEGATE, Mr. DEFazio, Mr. RICHARDSON, Mr. QUILLEN, Mr. HERTZEL, Mr. HAMMERSCHMIDT, Mr. RIDGE, Mr. RAHALL, Mr. SABO, Mr. ACKERMAN, Mr. BATES, Mr. BRUCE, Mr. WHITTAKER, Mr. HUNTER, Mr. IRELAND, Mr. BROWN of Colorado, and Mr. PANETTA.

H.J. Res. 112: Mr. DYMALLY.

H.J. Res. 227: Mr. QUILLEN, Mr. SMITH of New Jersey, Mr. OXLEY, Mr. SOLOMON, Mrs. MEYERS of Kansas, Mr. DARDEN, Mr. VALENTINE, Mr. BAKER, Mr. McCURDY, Mr. SKELTON, Mr. WHEAT, Mrs. PATTERSON, Ms. SLAUGHTER of New York, Mr. BATES, Mr. EARLY, Mr. DE LA GARZA, Mr. FOLEY, Mr. RAHALL, and Mr. ANNUNZIO.

H.J. Res. 272: Mr. GUARINI and Mr. CLAY.

H.J. Res. 304: Mr. BRENNAN, Mr. ROE, Mr. KILDEE, Mr. McCOLLUM, Mr. WALGREN, Ms. SNOWE, Mr. ROBINSON, Mr. TALLON, Mr. TORRICELLI, Mr. FLORIO, Mr. HARRIS, Mr. COELHO, Mr. HOYER, Mr. FRENZEL, Mr. PACKARD, Mr. TRAXLER, Mr. KANJORSKI, Mr. BROOMFIELD, Mr. KASICH, Mrs. BENTLEY, Mr. BOUCHER, Mrs. MARTIN of Illinois, Mr. DERRICK, Mr. BOSCO, Mr. OWENS of New York, Mr. FIELDS, Mrs. BOGGS, Mr. BEVILL, Mrs. COLLINS, Mr. PANETTA, Mr. JONES of North Carolina, Mr. FRANK, Mr. LIVINGSTON, Mr. SCHUETTE, Mr. RICHARDSON, Mr. BLAZ, Mr. McEWEN, Mrs. BYRON, Mr. FAZIO, Mr. SOLARZ, Mr. STALLINGS, Mr. AKAKA, Mr. KOSTMAYER, Mr. STUDDS, Mr. FAUNTROY, Mr. RINALDO, Mr. FOGLIETTA, Mr. FASCELL, Mr. YOUNG of Alaska, Mr. FORD of Michigan, Mr. LEHMAN of Florida, Mr. BARTLETT, Mr. SPRATT, Mr. CROCKETT, Mr. BADHAM, Mr. TAUZIN, Mr. RAVENEL, Mr. GREGG, Mr. LOWRY of Washington, Mrs. BOXER, Mr. CARDIN, Mr. ARCHER, Mr. STAGGERS, Mr. RAHALL, Mr. HANSEN, Mr. DENNY SMITH, Mr. ANDREWS, Mr. GRAY of Illinois, Mr. DAVIS of Michigan, Mr. HOWARD, Mr. GARCIA, and Mr. MOAKLEY.

H.J. Res. 315: Mr. WOLF.

H.J. Res. 328: Mr. CONYERS.

H.J. Res. 329: Mr. OWENS of New York, Mr. GINGRICH, Mr. QUILLEN, Mr. WYDEN, Mr. BRENNAN, Mr. MILLER of California, Mr. GRAY of Pennsylvania, Mr. DORNAN of California, Mr. SCHEUER, Mrs. COLLINS, Mr. CONYERS, Mr. VALENTINE, and Mr. LAGOMARSINO.

H.J. Res. 337: Mr. STANGELAND, Mr. HEFNER, Mr. WILSON, Mrs. BYRON, Mr. KANJORSKI, Mr. LENT, Mr. QUILLEN, Mr. BONIOR of Michigan, Mr. LEWIS of Georgia, Mr. MRAZEK, Mr. DOWNEY of New York, and Mr. ROYBAL.

H.J. Res. 359: Mr. ROE, Ms. SLAUGHTER of New York, and Mr. SMITH of Florida.

H.J. Res. 365: Mr. BILIRAKIS, Mr. BURTON of Indiana, Mr. COOPER, Mr. CRAIG, Mr. FORD of Tennessee, Mr. GOODLING, Mr. HAYES of Illinois, Mr. JEFFORDS, Mr. LEWIS of California, Mr. LOWERY of California, Mr. LUJAN, Mr. LUNGREN, Mr. McGRATH, Mr. MFUME, Mr. MURPHY, Ms. OAKAR, Mr. PARRIS, Mr. REGULA, Mr. ROWLAND of Connecticut, Mrs. SAIKI, Mr. SCHULZE, and Mr. VANDER JAGT.

H.J. Res. 376: Mr. GALLO, Mr. WEISS, Mrs. PATTERSON, Mr. RINALDO, Mrs. COLLINS, Mr. ATKINS, and Mr. YATES.

H. Con. Res. 120: Mr. CLINGER.

H. Res. 212: Mr. FRANK, Mr. WOLF, Mr. MARTINEZ, Mr. SAVAGE, Mr. LANTOS, Mr. SMITH of Florida, Mr. ACKERMAN, Mr. DENNY SMITH, Mr. FRENZEL, Mr. WELDON, Mr. ESPY, Mr. MONTGOMERY, Mr. FISH, Mr. SMITH of New Jersey, Mr. FAWELL, Mr. INHOFE, Mr. LIGHTFOOT, Mr. ROBINSON, Mr. VOLKMER, Mrs. BENTLEY, Mr. LIPINSKI, Mr. WILSON, Mr. ECKART, Mr. DEWINE, Mr. CLARKE, Mr.

TALLON, Mr. VALENTINE, Mr. BATEMAN, Mrs.
COLLINS, Mrs. SCHROEDER, Mr. PORTER, Mr.
McCLOSKEY, Mr. HUNTER, Mr. DYSON, Mr.
BEREUTER, Mr. WORTLEY, Mr. BOULTER, Mr.
LOWRY of Washington, Mr. BADHAM, Mr.

RICHARDSON, Mr. BUECHNER, Mr. LEVINE of California, Mr. BURTON of Indiana, Mr. HUGHES, Mr. SMITH of New Hampshire, Mrs. PATTERSON, Mr. BUSTAMANTE, Mr. DELAY, Mr. RAVENEL, Mr. OWENS of New York, Mr.

SIKORSKI, Mr. BILIRAKIS, Mr. NIELSON of Utah, Mr. MILLER of Washington, Mr. McEWEN, and Mr. CONYERS.